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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/708,146
Filing Date	February 11, 2004
First Named Inventor	Tobler, Peter Arthur
Group Art Unit	2857
Examiner Name	Not yet known
Total Number of Pages in This Submission: 156	Attorney Docket Number: 718026.64

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☒ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ After Allowance Communication to Technology Center (TC)
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC *(Appeal Notice, Brief, Reply Brief)*
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) *(please identify below); Exhibits A-E; return postcard*

Remarks:

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Kevin M. Kercher, Reg. No. 33,408 Blackwell Sanders Peper Martin LLP
Signature	
Date	October 12, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.
Express Mail Label No.: EV390579915US

Typed or printed name	Beth Hookway		
Signature	Beth Hookway	Date	10-12-04

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PTO/SB/17 (10-04)
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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 130.00

Complete if Known	
Application Number	10/708,146
Filing Date	February 11, 2004
First Named Inventor	Peter Arthur Tobler, et al.
Examiner Name	Not yet known
Art Unit	2857
Attorney Docket No.	718026.64

METHOD OF PAYMENT (check one)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None

☒ Deposit Account: Order

Deposit Account Number: 11-0160

Deposit Account Name: BLACKWELL SANDERS PEPER MARTIN LLP

The Director is authorized to: *(check all that apply)*

☒ Charge fees indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, **except for the filing fee** to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) ($)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims		Fee from below		Fee Paid
Total Claims		-20** =		X		=	
Independent Claims		-3** =		X		=	
Multiple Dependent						=	

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for *ex parte* reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	1155	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) ($) 130.00

SUBMITTED BY					(Complete *(if applicable)*)
Name (Print/Type)	Kevin M. Kercher	*Registration No. (Attorney/Agent)*	33,408	*Telephone*	314-345-6000
Signature				*Date*	10/12/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peter Arthur Tobler, et al.	)	
U. S. Application Serial Number: 10/708,146	)	Examiner: Unknown.
U.S. Filing Date: February 11, 2004	)	Group Art Unit: 2857
Priority Data: U.S. Provisional Patent Application No. 60/446,493, filed February 11, 2003	)	Confirmation No. 2145
	)	Customer No. 27,128
For: A SYSTEM AND METHOD FOR MONITORING FACILITY DATA	)	
Attorney Docket: 718026.64	)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. SECTION 1.47 (b)

INTRODUCTION:

The Assignee's Petition is to overcome the fact that one of the named inventors, i.e., Charles V. Lepard, is not willing to sign the Declaration associated with U.S. Patent Application No. 10/708,146.

STATEMENT OF FACTS:

There were several attempts through Charles V. Lepard's employer, Electronic Data Systems Corporation to execute the formal documents. This telephonic interaction was between the In-House Legal Department of Tyson Foods, Inc. and Steven Page, Esq. of Electronic Data Systems Corporation. Mr. Page indicated that his client would not sign the formal documents.

The country of citizenship for Charles V. Lepard is the United States of America. His last known address is 5555 New King Street, Troy, Michigan 48098. In spite of this rejection, a complete patent application, with formal documents, was sent to Steven Page, Esq. at Electronic Data Systems Corporation, H3-3A-05, 5400 Legacy Dr. Adm., Plano, Texas, 75024, on June 30, 2004, by Federal Express, and a complete copy of the patent application, with formal documents, was sent to Charles V. Lepard at his last known home address on June 30, 2004, by Federal Express, in accordance with the Manual of Patent Examining Procedure Section 409.03(d). The Federal Express receipts provide evidence that these packages were delivered to the Legal Department for Electronic Data Systems Corporation and an individual responding at Charles V. Lepard's last known home address as provided in Exhibit A. This was a bona fide, two-pronged, attempt to present Mr. Lepard with application papers, which is believed to have been successful. The correspondence to Mr. Lepard is enclosed, as Exhibit B. There was a request to indicate refusal that was not returned. However, the Letter made it clear that if the undersigned Attorney did not receive the signed formal documents in one week, that there would be an assumption that Mr. Lepard had refused to sign, as confirmation of Mr. Lepard's previous rejections.

Charles V. Lepard was a contract employee for Tyson Foods, Inc. Tyson Foods, Inc. contracted with Electronic Data Systems Corporation, an independent contractor, to assist in a development project for Tyson Foods, Inc. ("PLANTVIEW") under an April 16, 2001 Services Agreement ("Agreement"), which is hereby attached at Exhibit C. Also, enclosed are the numerous invoices listing Charles V. Lepard as providing work for Tyson Foods, Inc., in Exhibit D, as a contract employee for Electronic Data Systems Corporation. This Agreement resulted in work by Charles V. Lepard of Electronic Data Systems Corporation on the PLANTVIEW project. This PLANTVIEW project involved "brainstorming sessions" wherein Charles V. Lepard and Tyson Foods, Inc.'s employees were instructed to contribute ideas to this proprietary

Invention, i.e., PLANTVIEW. Essentially, Mr. Lepard was specifically hired to invent a computerized system that would obviate the need for paper documents required by governmental regulation such as the United States Department of Agriculture, Food Safety and Inspection Service, in the processing of meat. Also, this Invention would obviate the need for paper documents that are generated for the purpose of verifying the quality of a manufacturing or service operation. Although the Agreement does not specifically address the issue of patent rights, Mr. Lepard was specifically hired for the sole purpose of inventing this proprietary software system.

Therefore, it is respectfully believed, that Tyson Foods, Inc. owns any and all patent rights that arose from Mr. Lepard's work associated with "A SYSTEM AND METHOD FOR MONITORING FACILITY DATA" and Tyson Foods, Inc. has a clear and unequivocable proprietary interest in this patent application, i.e., U.S. Patent Application No. 10/708,146.

There will be irreparable damage and the rights of the parties will not be preserved if this Petition is denied. This patent application claims priority of U.S. Provisional Patent Application No. 60/446,493, which was filed on February 11, 2003. Tyson Foods, Inc. will lose this claim to priority.

POINT TO BE REVIEWED:

1. Can a patent application be filed when the inventor refuses to sign?

ACTION REQUESTED:

Granting of Petition so that U. S. Patent Application Serial Number 10/708,146 will not require the signature of Charles V. Lepard on the Declaration, who refuses to sign such Declaration.

DISCUSSION:

Charles V. Lepard has made it very clear through his legal representative, Steven Page, Esq., in both telephone conversations and the refusal to sign the tracked and unreturned correspondence, Exhibits A and B, that he will not sign the Declaration associated with U. S. Patent Application Serial Number: 10/708,146.

Applicant hereby submits the Declaration of Peter Arthur Tobler, who is the Project Manager for Tyson Foods, Inc. for the Project that resulted in the above patent application, as well as being a co-inventor, which is attached as Exhibit E. Peter Arthur Tobler declares that Mr. Charles V. Lepard was contracted by Kevin Young, of Tyson Foods, Inc., to help develop and design a proprietary software application that would collect and report electronic process information at the Berryville facility of Tyson Foods, Inc. Mr. Charles V. Lepard started working on this Project on or around April 16, 2001. A team was formed in the latter part of April, 2001 or the earlier part of May, 2001, to formalize the Project to develop an application that would collect HACCP data in an electronic format. At some point after this, Mr. Charles V. Lepard became involved with this team. Peter Arthur Tobler became involved with this Project associated with the present Invention on or around June 7, 2001. Mr. Tobler was named Application Development Team Leader on or around August 2, 2001, and by the end of August, 2001, Mr. Tobler took on the added responsibilities as Project Manager. This Project eventually became the Invention as described and claimed in the U.S. Patent Application listed above.

Peter Arthur Tobler also declares that there were "brainstorming sessions" with all the Inventors, including Mr. Charles V. Lepard, which occurred on a regular and irregular basis before and after Peter Arthur Tobler became involved in the Project. They consisted of a range of subjects including design, systems analysis, functional and technical requirements, code

reviews and troubleshooting. The main purpose of the "brainstorming sessions" was to create the present Invention that also included incorporating numerous business and/or legal requirements into an actual software application of the present Invention. Mr. Tobler also states for the record that Mr. Charles V. Lepard was involved in some of these "brainstorming sessions" but not all of them. For a period of time, Charles V. Lepard worked from his home in Detroit, Michigan, and was not available to attend the "brainstorming sessions" but did participate in some of them via telephone. This Declaration of the facts in support of any conclusion that a court would award title to the 37 C.F.R. Section 1.47(b) is record by way of the Declaration of the person having firsthand knowledge of same, i.e., Peter Arthur Tobler, as shown in Exhibit E.

Although the default rule is that the inventor owns the invention, even if he conceived it or reduced it to practice in the course of his employment. *Teets v. Chromalloy Gas Turbine Corp.*, 83 F.3d 403 (Fed. Cir. 1996) *cert. den.*, 117 S.Ct. 513 (1996); *Banks v. Unisys Corp.*, 228 F.3d 1357, 1359 (Fed. Cir. 2000). "There are two exceptions to this rule: first, an employer owns an employee's invention if the employee is a party to an express contract to that effect; **second, where an employee is hired to invent something or solve a particular problem, the property of the invention related to this effort may belong to the employer.**" *Banks*, 228 F.3d at 1359.

An employee may freely consent by contract to assign all rights in inventive ideas to the employer. Without such an express assignment, if the employee was hired to invent**, then the employer owns the invention**. *United States v. Dubilier Condenser Corp.*, 289 U.S. 178, 187 (1933); *Standard Parts Co. v. Peck*, 264 U.S. 52 (1924). The Federal Circuit Court found an implied contract to assign a patent "where the employer specifically hires or directs the employee to exercise inventive faculties." *Teets*, 83 F.3d at 407. This may result from an employment contract, or from an implied obligation arising from the nature of the employment.

When applying the "hired to invent" exception, a court must examine the employment relationship at the time of the inventive work to determine if the parties entered into an implied-in-fact contract to assign patent rights. *Teets*, 83 F.3d at 407. "An implied-in-fact contract is an agreement founded upon a meeting of the minds, which, although not embodied in an express contract, is inferred, as a fact from conduct of the parties showing, in the light of the surrounding circumstances, their tacit understanding." *Id.*

In *Teets*, an employee sued an employer, seeking declaration of ownership of the invention. *Teets*, 83 F.3d at 405. The Federal Circuit Court held that an implied-in-fact contract existed to assign patent rights to the employer where the employer assigned the employee to develop the invention. *Id.* at 408.

In *Standard Parts*, the employee was contracted, like Charles V. Lepard in this situation, to solve a problem for the company that hired the individual. *Standard Parts*, 264 U.S. at 53-54. The contract in *Standard Parts*, like the Agreement between Tyson Foods, Inc. and Electronic Data Systems Corporation, called for the independent contractor/employee to "devote his time to the development of a process of machinery" for a stated compensation. The United States Supreme Court held that the one who engaged the contracted employee for his services, and paid for them, owned the invention resulting from such an engagement. *Id.* at 59.

Considering the contractual relationship, Electronic Data Systems Corporation was hired to invent by Tyson Foods, Inc. Like the relationships between the employer and the employee in *Teets* and *Standard Parts*, Tyson Foods, Inc. hired Electronic Data Systems Corporation, and specifically Charles V. Lepard as a contract employee, to develop PLANTVIEW and Charles V. Lepard of Electronic Data Systems Corporation devoted his time to the development of PLANTVIEW that included being at "brainstorming sessions" for the purpose of creating the

Invention. Accordingly, Tyson Foods, Inc. owns all of the patent rights in the PLANTVIEW system.

This proprietary interest obtained otherwise than by assignment or agreement to assign is believed to be demonstrated by this appropriate legal memorandum to the effect that a court of competent jurisdiction (federal, state, or foreign) would by the weight of authority in that jurisdiction award title of the Invention to the Applicant, i.e., Tyson Foods, Inc., under 37 C.F.R. Section 1.47(b) and is prepared and signed by an attorney at law familiar with the law of the jurisdiction involved. It is believed that all legal decisions cited can be found reported in the United States Patents Quarterly so that enclosure is not required.

Therefore, the Applicant, i.e., Tyson Foods, Inc., otherwise has sufficient proprietary interest in the subject matter to justify the filing of the application. Moreover, there would be irreparable harm to the Applicant, i.e., Tyson Foods, Inc. if this Petition is not granted as there is a priority claim to U.S. Provisional Patent Application No. 60/446,493.

CONCLUSION:

It is respectfully believed that there is full compliance with 37 C.F.R. Section 1.47(b) in its entirety that Charles V. Lepard has specifically refused to sign the Declaration, through his legal representative, both over the telephone on several occasions and has declined to acknowledged tracked documents sent to both his legal representative, Steven Page, Esq., of Electronic Data Systems Corporation and to Charles V. Lepard's last known home address. Charles V. Lepard, as evidenced by the Declaration of Peter Arthur Tobler, was specifically hired to invent the subject matter of the present Invention described in both U.S. Provisional Patent Application No. 60/446,493 filed February 11, 2003 and U. S. Patent Application Serial Number 10/708,146, filed February 11, 2004 to Tyson Foods, Inc. Tyson Foods, Inc. would be

irreparably harmed if this Petition is not granted as the priority claim to U.S. Provisional Patent Application No. 60/446,493 would be irrevocably lost.

Therefore, it is respectfully requested that this Petition be granted. If a telephone conference would facilitate resolving any issue related to this Petition, the undersigned attorney would appreciate and welcome such telephone conference. Contact information for this attorney is provided below.

Respectfully submitted,

Dated: 10/12/04

Kevin M. Kercher
Registration No. 33,408
Blackwell Sanders Peper Martin L.L.P.
720 Olive Street, 24th Floor
St. Louis, MO 63101
(314) 345-6249
Attorney for Tyson Foods, Inc.

FedEx Express
Customer Support Trace
3875 Airways Boulevard
Module H, 4th Floor
Memphis, TN 38116

U.S. Mail: PO Box 727
Memphis, TN 38194-4643

Telephone: 901-369-3600

10/11/2004

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Signed for by: A.ECKERT

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Tracking number: 807995349662

Ship Date: Jun 30, 2004

Recipient:
STEVEN PAGA ESQ
5400 LEGACY DR ADM
PLANO , TX 75024
US

Shipper:
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BLACKWELL SANDERS PEPER MARTIN
720 OLIVE ST FL 24
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Reference: 718026 64

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10/11/2004

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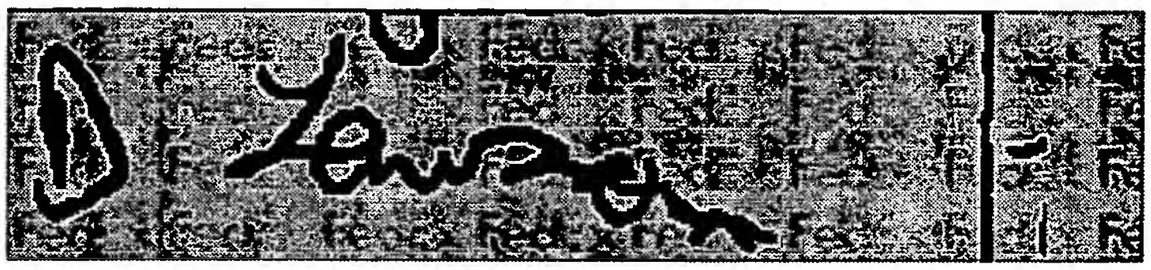
Signed for by: D.LAWSON



Delivery Location: 5555 NEW KING ST
Delivery Date: Jul 1, 2004 10:07

Shipping Information:

Tracking number: 807995349673

Ship Date: Jun 30, 2004

Recipient:
CHARLES LEPARD
5555 NEW KING ST
TROY , MI 48098
US

Shipper:
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KEVIN M. KERCHER
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FAX: (314) 345-6349
E-MAIL: kkercher@blackwellsanders.com

June 30, 2004

VIA FEDERAL EXPRESS

Steven Page, Esq.
Electronic Data Systems Corporation
H3-3A-05
5400 Legacy Dr. Adm.
Plano, Texas 75024

Re: U.S. Utility Patent Application
Serial No.: 10/708,146 Filed: February 11, 2004
Based on Provisional Serial No: 60/446,493 Filed: February 11, 2003
For: A SYSTEM AND METHOD FOR MONITORING FACILITY DATA
Inventors: Peter Arthur Tobler, et al.
Our Ref.: 718026.64

Dear Mr. Page:

Enclosed is a photocopy of the U.S. patent application entitled "A SYSTEM AND METHOD FOR MONITORING FACILITY DATA" with associated drawings that was filed on February 11, 2004 as well as two original copies of the associated Declaration and Assignment. A copy of this correspondence is being sent to Charles Lepard at his place of residence.

As you are aware, Tyson Foods, Inc. ("Tyson") contracted with EDS Information Services L.L.C. ("EDS"), an independent contractor, to assist in a "Tyson development project" ("PLANTVIEW") under an April 16, 2001 Services Agreement ("Agreement"). This Agreement resulted in work by Charles Lepard of EDS on the PLANTVIEW project. This PLANTVIEW project involved "brainstorming sessions" wherein Charles Lepard and Tyson employees were instructed to contribute ideas to this proprietary invention. Essentially, Mr. Lepard was specifically hired to invent a computerized system that would obviate the need for paper documents required by governmental regulation such as the United States Department of Agriculture, Food Safety and Inspection Service in the processing of meat. Also, this invention would obviate the need for paper documents that are generated for the purpose of verifying the quality of a manufacturing or service operation.

Although the default rule is that the inventor owns the invention, even if he conceived it or reduced it to practice in the course of his employment. *Teets v. Chromalloy Gas Turbine Corp.*, 83 F.3d 403 (Fed. Cir. 1996) *cert. den.*, 117 S.Ct. 513 (1996); *Banks v. Unisys Corp.*, 228 F.3d 1357, 1359 (Fed. Cir. 2000). "There are two exceptions to this rule: first, an employer owns an employee's invention if the employee is a party to an express contract to that effect; **second,**

where an employee is hired to invent something or solve a particular problem, the property of the invention related to this effort may belong to the employer." *Banks*, 228 F.3d at 1359.

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When applying the "hired to invent" exception, a court must examine the employment relationship at the time of the inventive work to determine if the parties entered into an implied-in-fact contract to assign patent rights. *Teets*, 83 F.3d at 407. "An implied-in-fact contract is an agreement founded upon a meeting of the minds, which, although not embodied in an express contract, is inferred, as a fact from conduct of the parties showing, in the light of the surrounding circumstances, their tacit understanding." *Id.*

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Considering the contractual relationship, EDS was hired to invent by Tyson. Like the relationships between the employer and the employee in *Teets* and *Standard Parts*, Tyson hired EDS, and specifically Charles Lepard as a contract employee, to develop PLANTVIEW and Charles Lepard of EDS devoted his time to the development of PLANTVIEW that included being at "brainstorming sessions" for the purpose of creating the Invention. Accordingly, Tyson owns all of the patent rights in the PLANTVIEW system.

We insist that EDS fulfill their legal obligations under the "hired to invent" doctrine and have Charles Lepard sign the enclosed Declaration and Assignment. If you refuse to allow Mr. Lepard to sign the Declaration and Assignment, please indicate his unwillingness by signing below. Please return either the executed Declaration and Assignment or the executed original copy of this letter via fax and mail for our files. If we do not receive the signed Declaration and Assignment within one week of the date of this Letter, it will be assumed that your previous refusals indicate your expression of intent in this matter and that the refusal is made **final.**

Sincerely,

Kevin M. Kercher

I, Charles Lepard, refuse to sign the enclosed Declaration and Assignment as indicated by my signature below. In the alternative, I, Mr. Lepard's legal representative, refuse to allow Mr. Lepard to sign the enclosed Declaration and Assignment, respectively:

By:_____,

Name:_____

Date: _____

Enclosures

cc: Charles V. Lepard, w/ Enclosures
Christine J. Daugherty, Ph.D., w/o Enclosures

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Form I.D. No. 0210

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Date 6/30-04 Sender's FedEx Account Number 0630-0685-8

Sender's Name Kevin M. Kercher, Esq. Phone (314) 421-3850

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1 From (please print and press hard)

Date 6-30-04 Sender's FedEx Account Number 0630-0685-8

Sender's Name Kevin M. Kercher, Esq. Phone (314) 421-3850

Company BLACKWELL SANDERS PEPER MARTIN

Address 720 OLIVE ST FL 24 Dept/Floor/Suite/Room

City SAINT LOUIS State MO ZIP 63101

2 Your Internal Billing Reference Information (Optional) (First 24 characters will appear on invoice) 718026.64

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Credit Card No. ____ Exp. Date ____

Total Packages	Total Weight	Total Declared Value*	Total Charges
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SPECIFICATION

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A SYSTEM AND METHOD FOR MONITORING FACILITY DATA

Cross Reference to Related Applications

This patent application claims priority to U.S. Provisional Patent Application Serial No. 60/446,493 filed February 11, 2003.

Background of Invention

[0001] There is a significant amount of critical data that must be utilized and safely stored at a manufacturing or service facility, e.g., plant. This extends to data required by governmental regulation and data that verifies quality of the manufacturing or service operation. One illustrative, but nonlimiting, example of this type of data is that required by the United States Department of Agriculture, Food Safety and Inspection Service in the processing of meat. This type of regulatory data includes the Hazard Analysis Critical Control Points (HACCP) under 9 C.F.R. Section 304 et al. The implications of not being able to provide this data can be tremendous. Under the current system, paper copies must be kept in fireproof file cabinets. If this data is removed, there is the potential for the recall of all associated products since the safety of these products cannot be substantiated. This can run into the millions of dollars for the mere loss of paperwork. If there are any legal implications regarding the processing of products, the ability to prove that all products produced in a certain period of time fully comport with all quality criteria can be invaluable. This is especially true when the final product is a combination of steps with multiple entities contributing to the process. For one particular entity, being able to prove the quality of the process with recorded data, can provide a tremendous advantage in proving the lack of culpability in the production of a defective product and providing assurances to consumers regarding the quality of the products or services.

[0002] The present invention is directed to overcoming one or more of the problems set forth above.

Summary of Invention

[0003] This invention relates to the monitoring of data utilized at a facility, and more particularly, to a system and method for monitoring of data for regulatory compliance and to optimize quality.

[0004] In one aspect of this invention, a system and method for monitoring facility data is disclosed. This system includes at least one processor capable of receiving inputted data and generating alerts or alarms when scheduled activity does not occur, monitoring whether devices used in the facility are calibrated, determining what corrective actions are appropriate if defects occur, provide control over who and how users can edit data, provides a pre-shipment review of products leaving a facility, determining disposition of at least one product, develops root causes for defects and the scheduling of tasks.

[0005] Another aspect of this invention includes the ability for a wide variety of individuals having access to exactly the same program with material added or blocked-out in terms of zones. This allows high-ranking officials of an organization and governmental inspectors to have access to the same program by specifically defining what can be viewed by that particular user.

[0006] Still aspect of this invention includes defining the facility in terms of department (s), line(s) and process (es) with complete flexibility in configuration.

[0007] Another aspect of this invention includes defining roles for both data collectors and data verifiers and establishing schedules and alarms tailored to each role.

[0008] Still another aspect of this invention includes monitoring a wide variety of quality information including statistical quality control parameters as well as governmental requirements such as that required by Hazard Analysis Critical Control Points (HACCP).

[0009] Yet, another aspect of this invention includes creating very flexible and logical categories that can be applied in virtually any environment including parts, fields,

devices, unit of measurement, tests, models, manufacturers, assignable causes, remedial actions and workstations and associated types thereof.

[0010] Still another aspect of this invention includes creating a wide variety of reports to view facility data.

[0011] Another aspect of this invention includes scheduling a test, associating workstations, establishing control limits, verifying data, and placing a hold tag on data to prevent editing.

[0012] These are merely some of the innumerable aspects of the present invention and should not be deemed an all-inclusive listing of the innumerable aspects associated with the present invention. These and other aspects will become apparent to those skilled in the art in light of the following disclosure and accompanying drawings.

Brief Description of Drawings

[0013] For a better understanding of the present invention, reference may be made to the accompanying drawings in which:

[0014] FIG. 1 is a schematic context diagram of the system and method for monitoring facility data;

[0015] FIG. 2 is an exemplary screen display of a login screen associated with the present invention;

[0016] FIG. 3 is an exemplary screen display of a password and pin number update screen associated with the present invention;

[0017] FIG. 4 is a flow chart of the data collection for a pocket processor that utilizes wireless communication associated with the present invention;

[0018] FIG. 5 is a flow chart of the data collection for a desktop processor or workstation associated with the present invention;

[0019] FIG. 6 is a flow chart of the data reporting for a desktop processor or workstation associated with the present invention;

[0020] FIG. 7 is a flow chart of the process to add users to the system associated with the

present invention;

[0021] FIG. 8 is a flow chart of the process to create inspection points or data collection tests to the system associated with the present invention;

[0022] FIG. 9 is a flow chart of the process to create a schedule flow associated with the present invention;

[0023] FIG. 10 is a flow chart of the process to adding and updating part information associated with the present invention;

[0024] FIG. 11 is an exemplary screen display of facility, e.g., plant, location information associated with the present invention;

[0025] FIG. 12 is an exemplary screen display of user information associated with the present invention;

[0026] FIG. 13 is an exemplary screen display of departments, lines and processes associated with the present invention;

[0027] FIG. 14 is an exemplary screen display of part type information associated with the present invention;

[0028] FIG. 15 is an exemplary screen display for providing userid and pin information associated with the present invention to provide an electronic signature for adding new data to the system;

[0029] FIG. 16 is an exemplary screen display for providing userid and pin information associated with the present invention to provide an electronic signature along with a reason for updating existing data on the system;

[0030] FIG. 17 is an exemplary screen display of part information associated with the present invention;

[0031] FIG. 18 is an exemplary screen display of field group information associated with the present invention;

[0032] FIG. 19 is an exemplary screen display of field item information associated with the present invention;

[0033] FIG. 20 is an exemplary screen display of type of unit of measure information associated with the present invention;

[0034] FIG. 21 is an exemplary screen display of unit of measure information associated with the present invention;

[0035] FIG. 22 is an exemplary screen display of unit of type of testing information associated with the present invention;

[0036] FIG. 23 is an exemplary screen display of test information associated with the present invention;

[0037] FIG. 24 is an exemplary screen display of remedial action information associated with the present invention;

[0038] FIG. 25 is an exemplary screen display of assignable cause information associated with the present invention;

[0039] FIG. 26 is an exemplary screen display of measuring devices information associated with the present invention;

[0040] FIG. 27 is an exemplary screen display of a measuring device type information associated with the present invention;

[0041] FIG. 28 is an exemplary screen display of a measuring device manufacturer information associated with the present invention;

[0042] FIG. 29 is an exemplary screen display of a measuring device model information associated with the present invention;

[0043] FIG. 30 is an exemplary screen display of a device information associated with the present invention;

[0044] FIG. 31 is an exemplary screen display of a workstations information associated with the present invention;

[0045] FIG. 32 is an exemplary screen display of a workstation type information associated with the present invention;

[0046] FIG. 33 is an exemplary screen display of a workstation manufacturer information associated with the present invention;

[0047] FIG. 34 is an exemplary screen display of a workstation model information associated with the present invention;

[0048] FIG. 35 is an exemplary screen display of a workstation information associated with the present invention;

[0049] FIG. 36 is an exemplary screen display of a alarm rule information associated with the present invention;

[0050] FIG. 37 is an exemplary screen display of an alert and alarm report associated with the present invention;

[0051] FIG. 38 is an exemplary screen display of a calibration report associated with the present invention;

[0052] FIG. 39 is an exemplary screen display of a corrective action report associated with the present invention;

[0053] FIG. 40 is an exemplary screen display of a data edit report associated with the present invention;

[0054] FIG. 41 is an exemplary screen display of an interactive alert and alarm report associated with the present invention;

[0055] FIG. 42 is an exemplary screen display of a data verification report associated with the present invention;

[0056] FIG. 43 is an exemplary screen display of a hold tag report associated with the present invention;

[0057] FIG. 44 is an exemplary screen display of a pre shipment review report associated with the present invention;

[0058] FIG. 45 is an exemplary screen display of a query report and export function associated with the present invention;

[0059] FIG. 46 is an exemplary screen display of a reports log report associated with the present invention;

[0060] FIG. 47 is an exemplary screen display of a root cause report associated with the present invention;

[0061] FIG. 48 is an exemplary screen display of a workstation schedule report associated with the present invention; and

[0062] FIG. 49 is an exemplary screen display of specification limits information associated with the present invention.

Detailed Description

[0063] In the following detailed description, numerous specific details are set forth in order to provide a thorough understanding of the invention. However, it will be understood by those skilled in the art that the present invention may be practiced without these specific details. In other instances, well-known methods, procedures and components have not been described in detail so as to obscure the present invention. For example, the invention is not limited to a particular type of software language or to particular conventions regarding software designations. A processor referred to in this Application can be a single processor or a whole series of processors. This also includes hand-held pocket personal computer and programmable logic controllers. The hand-held pocket personal computer communicates via radio frequency communication. The preferred method of communication for this invention is through a wide area network 12, e.g., Internet; however, there are numerous mechanisms for electronic communication that might suffice for this present invention. This invention described herein can be displayed on any type of electronic display such as a liquid crystal display, a cathode ray tube display and a plasma screen display. However, other types of electronic displays will suffice.

[0064] Referring now to the drawings, and initially to FIG. 1, where FIG. 1 is a contextual diagram of the system and method for monitoring facility data, which is generally indicated by numeral 10. There is a main server 20 that provides the facility data monitoring service associated with the present invention. Numerous types of servers

can function as the main server 20.

[0065] The main server 20 interfaces with a main database 28. An illustrative, but nonlimiting, example of the type of information that can be placed on the main database is data involving a manufacturing process or service process. This can be inputted from a handheld pocket personal computer 30, a personal computer found on the shop or facility floor 32, a personal computer found in an office 34, and a programmable logic controller 36 that obtains data directly from at least one sensor 38. Preferably, but not necessarily, any one of these processors 30, 32, 34 and 36 may be connected to the main server 20 through wireless communication rather than a direct hardwired connection. There may be other databases 40 and 41 connected to the main server 20. There are numerous communication systems that may suffice such as local area networks, wireless communication, internet, and so forth with the preferred method of communication being a wide area network 12. This can connect to a product or service specification database 44 as well as a potential variety of other databases 42. These can connect to organization processors 46 for reviewing facility data and generating reports thereof.

[0066] The first step in the process is for a user to perform a log-in function that is generally indicated by numeral 51. This is accomplished by inputting a user name 50, a password 52 and then clicking on a "Login" graphical user input button 54, as shown in FIG. 2. Preferably, there will be security measures present such as displaying a security policy and an automatic logging-out feature if no action occurs within a predetermined time period, e.g., thirty (30) minutes.

[0067] The software data monitoring algorithms will also be described herein. In the description of flowcharts, the functional explanation marked with numerals in angle brackets, <nnn>, will refer to the flowchart blocks bearing that number. In this case, the user "login" function is described by process steps <100>, <120>, <138>, <156>, <174>, <186> and <202>, for each of the process steps shown in FIGS. 4, 5, 6, 7, 8, 9 and 10, which will be described individually in greater detail below.

[0068] Referring now to FIG. 11, the first step is to identify a specific facility, e.g., plant, which is generally indicated by numeral 69. This can include entering a location name 70, a facility location code 72, a first identification number 74

(governmental/regulatory identification code), e.g., USDA plant number, a second identification number 76 (governmental/regulatory identification code), e.g., USDA establishment number, an address for a facility 78, a city for a facility 84, a state for a facility 82, a zip code for a facility 80, and a phone number for a facility 86. This information can be saved with a graphical user pushbutton interface that is indicated by numeral 88.

[0069] Referring now to FIGS. 7 and 12, the next step in the process is to add users to the system. The first step in this process is to perform the previously described "login" function <174>, and select a user maintenance graphical interface screen <176>, as shown in FIG. 7. The user maintenance graphical interface screen, as indicated by numeral 324, is then displayed, as shown in FIG. 12. The user selects potential users from screen 324 or inputs a user name, a first name, middle initial, and a last name of a potential new user in inputs 90, 91, 92 and 93, respectively.

[0070] The next step is to provide information for the new user in the appropriate fields <178>, as shown in FIG. 7. This includes utilizing a drop-down input to provide a duration period for a password 95, an e-mail address 300, a phone number 302, a pager number 304, and a cell phone number 306, as shown in FIG. 12. Also, there is a graphical user output display of the expiration date for the password 94.

[0071] The next step in the process is to select the security role for that specific user <180>, as shown in FIG. 7. The advantage to this program is that for each security user, different zone objects may appear. Therefore, the same program can be used for each type of user, with only different zones blocked out or visible. This is a unique advantage that allows the same graphical interface screens with the same program to be utilized for a wide variety of employees as well as governmental inspectors without requiring numerous software programs for each security role. Information is merely blocked-out from parties that are not authorized to view that certain information. A selection screen of available roles is indicated by numeral 308 as shown in FIG. 12. Security roles can be selected by graphical user interface button 320 to add that role to selection screen 322. Security roles for a particular individual can also be removed through graphical user interface button numeral 321.

[0072] After this information is entered, the user saves the information with the graphical

user interface button indicated by numeral 314. This involves the entering of user identification and a personal identification number, which is indicated as process step <182> in FIG. 7. There is a graphical user interface button 316 for entering information for a new user, deactivating a user 318, resetting a password 310, and having a password expire 312.

[0073] When this information is saved in process step <182>, the user is returned via process step <184> to the same screen in process step <178>, however, that user's information is now available in screen 324, as shown in FIG. 12.

[0074] Data entry is performed by using a personal identification number or PIN number to provide an electronic signature. This is approved under 21 C.F.R. Section 11.3 as having the same legal force and effect as a handwritten signature or initials. There is a graphical user interface screen that is generally indicated by numeral 61, as shown in FIG. 3. The old password is first entered 56, which is followed by entering a new password in inputs 58 and 64. There is a new personal identification number or PIN number is also entered twice in inputs 60 and 62. There is a graphical user interface button 66 for inputting this information.

[0075] A major function of the present invention is to add and update parts. In this case, parts can include virtually anything. Examples include components, subassemblies, fully assembled products, machines used in manufacturing, and so forth. The first step in this process is to perform the previously described "login" function <156> and select a "part type" maintenance page screen from a graphical user interface screen <158>, as shown in FIG. 10. The "part type" page on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 14, which is generally indicated by numeral 349.

[0076] The part type information can be provided in the appropriate fields <160>, as shown in FIG. 10. Illustrative examples of the "part type" information that can be inputted includes a part type name 343, a description of the part type 345 and a click-on input for whether a part type is active 346. The user then clicks on a "save" graphical user interface pushbutton 347 to save the information with the use of a userid and a personal identification number (PIN), as previously described <162>, as shown in FIG. 10. There is also a "new" graphical user interface pushbutton 348 to

clear the part information so that new information can be inputted. The new part type, with description and indication as to whether it is active, then appears on an output screen as indicated by numeral 350.

[0077] When a new part type is added, that is indicated by the graphical interface screen 351 shown on FIG. 15, which requires the correct security authorization with a user identification 352, personal identification number (PIN) 354, and a graphical user interface button to indicate input 356 or a graphical user interface button to cancel the addition of a part type 358. A part type can also be updated as indicated by the graphical interface screen 361 shown on FIG. 16, which requires the correct security authorization with a user identification name (userid) 363, personal identification number (PIN) 365, and a graphical user interface button to indicate input 370 or a graphical user interface button to cancel the update 369. There is an input screen 367 for providing typed verbiage that indicates the reason for the change 367 as an auditing and control type of feature.

[0078] The next step is to select a "part" page screen from a maintenance graphical user interface screen <164>, as shown in FIG. 10. The "part" page on the maintenance facility, e.g., plant, explorer graphical user interface screen 380 is then displayed, as shown in FIG. 17. The part information can be provided in the appropriate fields <166>, as shown in FIG. 10. Illustrative examples of the type of part information that can be inputted includes a part name 382, a drop-down input for a part type 398, a product code 384, a brand code 400, a drop-down input for a regulatory category, e.g., HACCP category, 386, and click-on inputs for product characteristics, e.g., frozen 388, cooked 389 and active 390. A previously inputted type of part can be provided through a drop-down input 402.

[0079] The user then clicks on a "save" graphical user interface pushbutton 394 to save the information with the use of a userid and a personal identification number (PIN), as previously described <168>, as shown in FIG. 10. There is also a "new" graphical user interface pushbutton 392 to clear the part information so that new information can be inputted. The new part, with description and indication as to whether it is active, then appears on an output screen as indicated by numeral 396, which is process step <170>, as shown in FIG. 10. At this point, the user can log out or select another

function <172>.

[0080] Data can also be organized in field groups. Field groups are simply a way of organizing or relating items. An illustrative, but nonlimiting, example would include bone types, fecal contamination locations and sanitation standard operating procedures ("SSOP") ratings for a food processing plant. SSOPs are written procedures detailing an organization's routine cleaning practices to promote a sanitary food production environment.

[0081] The process for adding and updating field groups is very similar to that for part types. The first step is to select a "field group" page screen on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 18, which is generally indicated by numeral 410.

[0082] The field group information can be provided in the appropriate fields. Illustrative, but nonlimiting, examples of the "field group" information that can be inputted includes a field group name 412, a statistical process control (SPC) data type through a drop-down input 414, and a click-on input for whether a field group is active 416. The user then clicks on a "save" graphical user interface pushbutton 418 to save the information with the use of a userid and a personal identification number (PIN), as previously described. There is also a "new" graphical user interface pushbutton 420 to clear the field group information so that new information can be inputted. The new field group, with statistical process control data type and an indication as to whether it is active, then appears on an output screen as indicated by numeral 422. Field groups can be both added and updated in the same manner as a part type.

[0083] Each previously described field group includes a collection of at least one field item. The process for adding and updating field items is very similar to that for parts. The first step is to select a "field item" page screen on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 19, which is generally indicated by numeral 430.

[0084] The field item information can be provided in the appropriate fields. Illustrative, but nonlimiting, examples of the "field item" information that can be inputted includes a field item name 432, a field group through a drop-down input 434 or 442, and a

click-on input for whether a field item is active 436. The user then clicks on a "save" graphical user interface pushbutton 438 to save the information with the use of a userid and a personal identification number (PIN), as previously described. There is also a "new" graphical user interface pushbutton 440 to clear the field item information so that new information can be inputted. The new field item, with field item group and indication as to whether it is active, then appears on an output screen as indicated by numeral 444. Field items can be both added and updated in the same manner as a part type.

[0085] Data does include measurement data. The types of unit of measurement can be entered or updated. An illustrative, but nonlimiting, example of types of unit of measurement would include weight, count, temperature, percentage, string data and date.

[0086] The process for adding and updating unit of measurement types is very similar to that for part types. The first step is to select a "unit of measurement type" maintenance page screen on the facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 20, which is generally indicated by numeral 450. The type of unit of measurement information can be provided in a name field 452 and there is a click-on input for whether a unit of measurement is active 454. The user then clicks on a "save" graphical user interface pushbutton 456 to save the information with the use of a userid and a personal identification number (PIN), as previously described. There is also a "new" graphical user interface pushbutton 458 to clear the type of measurement unit information so that new information can be inputted. The new or updated type of unit of measurement field group and indication as to whether it is active then appears on an output screen as indicated by numeral 460. The types of unit of measurement can be both added and updated in the same manner as a part type.

[0087] Each previously described type of unit of measurement includes at least one specific unit of measurement. The process for adding and updating specific units of measurement is very similar to the process for adding and updating parts. The first step is to select a "unit of measurement" maintenance page screen on the facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 21,

which is generally indicated by numeral 462. The specific unit of measurement can be provided in the appropriate fields. Illustrative, but nonlimiting, examples of the "unit of measurement" information that can be inputted includes a unit of measurement name 464, a type of unit of measurement through a drop-down input 466, and a click-on input for whether a unit of measurement is active 468. The user then clicks on a "save" graphical user interface pushbutton 470 to save the information with the use of a userid and a personal identification number (PIN), as previously described. There is also a "new" graphical user interface pushbutton 472 to clear the unit of measurement information so that new information can be inputted. The new or updated unit of measurement with the type of unit of measurement and indication as to whether or not it is active, then appears on an output screen as indicated by numeral 474. Unit of measurement items can be added or updated in the same manner as a part can be added or updated.

[0088] Data does include testing data. The types of tests can be entered or updated. An illustrative, but nonlimiting, example of types of tests would include temperature of a product at a particular point in the processing, inspection for fecal contamination, weight of the product, percentage of trisodium phosphate solution in processing cabinet, verification of critical limits, preshipment verification of product quality, thermometer calibration with comparison against NST certified standard weight, visual inspections regarding sanitation, and so forth, for a poultry processing plant.

[0089] The process for adding and updating types of tests is very similar to that for part types. The first step is to select a "test type" maintenance page screen on the facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 22, which is generally indicated by numeral 480. The type of test information can be provided in a test type name field 490 and a description of the type of test can be provided in input 488. There is a click-on input for whether or not a type of test is active 486. The user then clicks on a "save" graphical user interface pushbutton 484 to save the information with the use of a userid and a personal identification number (PIN), as previously described. There is also a "new" graphical user interface pushbutton 482 to clear the type of test information so that new information can be inputted. The new or updated name for a type of test, a description of the type of test and an indication as to whether the type of test is active, then appears on an output

screen as indicated by numeral 489. The types of tests can be both added and updated in the same manner as a part type, as described above.

[0090] Each previously described type of test includes at least one specific test falling under that test type. The process for adding and updating a specific test is very similar to the process for adding and updating parts. The first step is to select a "test" page screen on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 23, which is generally indicated by numeral 500. The specific test information can be provided in the appropriate fields. Illustrative, but nonlimiting, examples of test information that can be inputted includes a test name 504, a type of test through a drop-down input 506, a field group through a drop-down input 508, a type of unit of measure type through a drop-down input 510, a unit of measure through a drop-down input 512, a data entry mask through a drop-down input 513 and a click-on input for whether a test is active 514. The user then clicks on a "save" graphical user interface pushbutton 516 to save the test information with the use of a userid and a personal identification number (PIN), as previously described. There is also a "new" graphical user interface pushbutton 518 to clear the test information so that new test information can be inputted. The new or updated test, a type of test, a unit of measure and an indication as to whether or not it is active, then appears on an output screen as indicated by numeral 519. Test items can be added or updated in the same manner as a part can be added or updated.

[0091] Corrective or remedial action as well as causes of defects can be organized so that these items in the system can be readily retrieved. The first step in organizing types of remedial action is to select a "remedial action" page screen on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 24, which is generally indicated by numeral 520. There is a drop-down input 522 to provide a category for a type of corrective action. The actual name of the corrective action can be labeled through input 534. The description of the corrective action can be typed-in through an input 524 that allows verbiage to be provided in sentence or paragraph format. There is another remedial action category indicated by numeral 526 and a click-on input 528 for indicating that it is an active remedial action. The user then clicks on a "save" graphical user interface pushbutton 532 to save the corrective action information with the use of a userid and a personal

identification number (PIN), as previously described. There is also a "new" graphical user interface pushbutton 530 to clear the corrective action information so that new corrective action information can be inputted.

[0092] The first step in organizing causes to types of defects is to select an "assignable cause" maintenance page screen on the facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 25, which is generally indicated by numeral 552. There is a drop-down input 550 to provide a category for a type of assignable cause for a defect. The actual name of the assignable cause for a defect can be labeled through input 556. The description of the assignable cause for a defect can be typed-in through an input 554 that allows verbiage to be provided in sentence or paragraph format. There is another assignable cause drop-down input for a defect category indicated by numeral 560 and a remedial action category drop-down input indicated by numeral 562. There is a click-on input 566 for indicating that it is an active assignable cause for a defect. The user then clicks on a "save" graphical user interface pushbutton 568 to save the assignable cause information with the use of a userid and a personal identification number (PIN), as previously described. There is also a "new" graphical user interface pushbutton 564 to clear the assignable cause information so that new assignable cause information can be inputted.

[0093] Virtually any type of machinery used in either manufacturing or service processes can be considered a device. It is helpful to be able to categorize devices by manufacturer and model.

[0094] Devices can include a myriad of machines including processors, e.g., pocket processors, temperature probes, sensors, and so forth, utilized in manufacturing or service operations. It is helpful to categorize the devices by types. The first step in this process is to perform the previously described "login" function and select a "measuring devices" page screen from a maintenance facility, e.g., plant, explorer graphical user interface screen. The "measuring devices" page on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 26, which is generally indicated by numeral 570. This is the first step in categorizing the manufacturers of devices. There is a graphical user interface pushbutton 574 for inputting a new device type, a graphical user interface pushbutton

576 for inputting a new manufacturer, a graphical user interface pushbutton 578 for inputting a new model, and a graphical user interface pushbutton 580 for inputting a new device. Moreover, there is a graphical user interface pushbutton 582 for editing the previously entered device types, manufacturers, models and devices.

[0095] The "measuring device type information" page on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 27, which is generally indicated by numeral 584, which can be accessed from the graphical user interface pushbutton 574 for inputting a new device type, as shown in FIG. 26. The new device type information that can be provided includes the name of a device in an input 586 and a click-on input for whether or not a particular device type is portable 588. There is a drop-down input 590 to provide a unit of measure for a device type. The user then clicks on an "ok" graphical user interface pushbutton 598 to save the information with the use of a userid through input 592 and a personal identification number (PIN) through input 594, as previously described. There is also a "cancel" graphical user interface pushbutton 596 to clear the type of device type information so that new device type information can be inputted. The new or updated name for a manufacturer, a description of the manufacturer and an indication as to whether the type of test is active, then appears on an output screen as indicated by numeral 572 in FIG. 26. A specific device can be added or updated in the same manner as other previously described features are added or updated on the system.

[0096] The manufacturer information on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 28, which is generally indicated by numeral 600, which can be accessed from the graphical user interface pushbutton 576 for inputting a new manufacturer, as shown in FIG. 26. The name of a manufacturer can be provided in an input 602. The contact information for the manufacturer for a device can be typed-in through an input 601 that allows verbiage to be provided in sentence or paragraph format. There is a click-on input 604 for indicating that it is an active manufacturer for a device. The user then clicks on an "ok" graphical user interface pushbutton 612 to save the information with the use of a userid through input 606 and a personal identification number (PIN) through input 608, as previously described. There is also a "cancel" graphical user interface pushbutton 610 to clear the type of device type information so that new device type

information can be inputted. The new or updated name for a manufacturer, a description of the manufacturer and an indication as to whether the type of test is active, then appears on an output screen as indicated by numeral 572 in FIG. 26.

[0097] The measuring device model information on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 29, which is generally indicated by numeral 613, which can be accessed from the graphical user interface pushbutton 578 for inputting a new device model, as shown in FIG. 26. The model information that can be provided includes the name of a model in an input 614, a name of a manufacturer in drop-down input 616 and a type of device in drop-down input 618. There is a click-on input for whether or not a particular model can be calibrated in the system 620. There is a click-on input for whether or not a particular model requires a 2 point calibration in the system 622 and a click-on input 624 for indicating that it is an active device model. The user then clicks on an "ok" graphical user interface pushbutton 632 to save the information with the use of a userid through input 626 and a personal identification number (PIN) through input 652, as previously described. There is also a "cancel" graphical user interface pushbutton 630 to clear the type of model information so that new model information can be inputted.

[0098] The measuring device model information on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 30, which is generally indicated by numeral 631, which can be accessed from the graphical user interface pushbutton 580 for inputting a new device, as shown in FIG. 26. Here, the specific device can also be added or updated on the system. Illustrative examples of the type of device information that can be inputted includes a device name 632, a drop-down input for a manufacturer 634, a drop-down input for a model 636, an input for a serial number 638. There is a click-on input for whether or not a particular device is a reference device for calibration in the system 640. The calibration procedure can be typed-in through an input 644 that allows verbiage to be provided in sentence or paragraph format. A click-on input for whether the device uses a serial port 646 and a click-on input for whether the device is active 648. The user then clicks on an "ok" graphical user interface pushbutton 656 to save the information with the use of a userid through input 650 and a personal identification number (PIN) though input 652, as previously described. There is also a "cancel" graphical user

interface pushbutton 654 to clear the type of device information so that new device information can be inputted. The new or updated name for the device then appears on an output screen as indicated by numeral 572 in FIG. 26. A device type can be added or updated in the same manner as other previously described features are added or updated on the system.

[0099] Workstations can include a myriad of machines including processors, e.g., pocket processors, industrial computers, personal computers (PCs), and so forth, utilized in manufacturing or service operations. It is helpful to categorize the workstations by types. The first step in this process is to perform the previously described "login" function and select a "workstations" page screen from a maintenance graphical user interface screen. The "workstations" page on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 31, which is generally indicated by numeral 658. A variety of processors can be added or removed from the system as shown on the "workstations" page on the maintenance facility, e.g., plant, explorer graphical user interface screen 671 is then displayed. There is a graphical user interface pushbutton 660 for inputting a new device type, a graphical user interface pushbutton 662 for inputting a new manufacturer, a graphical user interface pushbutton 664 for inputting a new model of workstation, and a graphical user interface pushbutton 668 for inputting a new workstation. Moreover, there is a graphical user interface pushbutton 670 for editing the previously entered device types, manufacturers, models and workstations.

[0100] The workstation type information can be provided on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 32, which is generally indicated by numeral 672, which can be accessed from the graphical user interface pushbutton 668 for inputting a new device, as shown in FIG. 31. Illustrative examples of the type of workstation type information that can be inputted includes a device type name 674, a click-on input for whether the workstation type or processor is portable 676. The user then clicks on an "ok" graphical user interface pushbutton 684 to save the information with the use of a userid through input 678 and a personal identification number (PIN) through input 680, as previously described. There is also a "cancel" graphical user interface pushbutton 682 to clear the type of workstation information so that new device type

information can be inputted. The new or updated name for a workstation type, a description of the workstation type then appears on an output screen as indicated by numeral 671 in FIG. 31. A workstation type can be added or updated in the same manner as other previously described features are added or updated on the system.

[0101] The manufacturer information can be provided on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 33, which is generally indicated by numeral 686, which can be accessed from the graphical user interface pushbutton 662 for inputting a new manufacturer, as shown in FIG. 31. The name of the manufacturer for a workstation can be typed-in through an input 688. The primary contact information for the manufacturer can be provided in input 690 that allows verbiage to be provided in sentence or paragraph format. There is a click-on input 692 for indicating that it is an active manufacturer for a workstation. The user then clicks on an "ok" graphical user interface pushbutton 700 to save the information with the use of a user id through input 694 and a personal identification number (PIN) through input 696, as previously described. There is also a "cancel" graphical user interface pushbutton 698 to clear the type of manufacturer information so that new manufacturer information can be inputted.

[0102] The workstation model information can be provided on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 34, which is generally indicated by numeral 702, which can be accessed from the graphical user interface pushbutton 664 for inputting a new workstation model, as shown in FIG. 31. The model information that can be provided includes the name of a model in an input 704, a name of a manufacturer in drop-down input 706 and a type of device in drop-down input 708. There is a click-on input 710 for indicating that it is an active workstation model. The user then clicks on an "ok" graphical user interface pushbutton 718 to save the information with the use of a user id through input 712 and a personal identification number (PIN) through input 714, as previously described. There is also a "cancel" graphical user interface pushbutton 716 to clear the type of model information so that new model information can be inputted.

[0103] A specific workstation can also be added or updated on the system on the maintenance facility, e.g., plant, explorer graphical user interface screen is then

displayed on a "workstation information" page, as shown in FIG. 35, which is generally indicated by numeral 720, which can be accessed from the graphical user interface pushbutton 668 for inputting a new workstation model, as shown in FIG. 31. Illustrative examples of the type of workstation information that can be inputted includes a workstation name 722, a drop-down input for a device type 724, a drop-down input for a model 726, an input for a serial number 728 and a click-on input for whether the device is active 730. The user then clicks on an "ok" graphical user interface pushbutton 738 to save the information with the use of a user id through input 732 and a personal identification number (PIN) through input 734, as previously described. There is also a "cancel" graphical user interface pushbutton 736 to clear the type of workstation information so that new workstation information can be inputted. The new or updated name for the workstation then appears on an output screen as indicated by numeral 671 in FIG. 31. A workstation can be added or updated in the same manner as other previously described features are added or updated on the system.

[0104]

A major feature of the present invention is the ability to set alarms. These can include pagers, phone calls, including cellular, and so to notify users when a check falls out of specification. Referring now to FIG. 36, an alarm can also be added or updated on the system. The "alarm rule" page on the maintenance facility, e.g., plant, explorer graphical user interface screen 740 is then displayed. Illustrative examples of the type of alarm information that can be inputted includes an alarm rule name 742, a drop-down input for an alarm rule definition 744, a drop-down input for a test type 746, a drop-down input for a test definition 748, a drop-down input for a part type 750, a drop-down input for a part 752, a drop-down input for a checkpoint type 754, a drop-down input for a checkpoint 756, a drop-down input for a program type 758, a drop-down input for a check configuration 760, a drop-down input for an assignable cause category 762, an activation date input 764, a deactivation date input 766. There is a listing of all individuals or entities that can receive an alarm 770. By clicking on an "add" graphical user pushbutton 771, individuals or entities can be added to a listing 772. There is another graphical user pushbutton 773 for removing individuals or entities from the listing 772. The user then clicks on an "save" graphical user interface pushbutton 774 to save the information with the use of a user id and a

personal identification number (PIN), as previously described. There is also a "new" graphical user interface pushbutton 776 to clear the type of alarm rule information so that new alarm rule information can be inputted. The alarm rule and rule code then appear on an output screen as indicated by numeral 768.

[0105] A major feature of the present invention is a portion of the software that is entitled facility, e.g., plant, explorer that allows the user to add, eliminate or update departments, lines, processes and regulatory descriptions of potential hazards, e.g., critical control points ("CCP") biological, chemical and physical hazards.

[0106] The first step in this process is to perform the previously described "login" function <202> and select a facility, e.g., plant, explorer graphical user interface screen <204>, as shown in FIG. 8. The facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 13 and generally indicated by numeral 342. The user then selects the department or line that has a checkpoint that is being created <206>, as shown in FIG. 8. Exemplary departments are indicated by numeral 332 and exemplary lines are indicated by numeral 334 in a logical tree, as shown in FIG. 13. There is a graphical user interface pushbutton 330 that can filter the listing of items in the logical tree 334. Also, there is a listing of parts 1201 that can include a start date and time 1203, a finish date and time 1205, a shift number 1207, a user identification 1209, an indication as to whether the part is disabled 12011 and a status indication, e.g., complete, 1213. The parts can be selected through a started after date input 338 and a started before date input 340 with a graphical user pushbutton 336 to apply these before and after dates.

[0107] The user clicks on a parent in a tree and then clicks on adding a "new check configuration" from a menu <208> and then the "general information" is clicked on and then a graphical user interface button for save <210> is then clicked, as shown in FIG. 8. This can include a check name, check description, activation date, deactivation date, lot tracking, allowed interruption due to shift and complete check with associated time.

[0108] A previously configured group part can be clicked-on and fields inputted such as the part type, product description, a right arrow to move product description to a selected pane and then a graphical user interface button for save <212> is then

clicked. A data providing role can also be defined such a collection and/or verification roles. Arrows can be used to select collection and/or verifier roles and move to the appropriate pane. The data collection roles are then saved when a graphical user interface button <214> is then clicked.

[0109] The user can then perform a right click, a "check configuration," from a menu and then the "add a sample set" is then selected. A program type, sample size, variable sample size, complete sample required, pre-shipment review, monitor procedure, and verification procedure, can be selected and then a graphical user interface button for save <216> is then clicked, as shown in FIG. 8.

[0110] The user can then perform a right click, a "sample set," from a menu and then the "add a test" is then selected. A critical control point (CCP), test type, test definition, data source, device type, label description, numeric rounding and charting, can be selected and then a graphical user interface button for save <218> is then clicked, as shown in FIG. 8.

[0111] The entire configuration can then be saved by clicking on a "save button" in the top right hand corner <220>, is then clicked, as shown in FIG. 8. As previously described, a user identification name (userid) and a personal identification number (PIN) is required.

[0112] Specification limits can be organized so that these items in the system can be readily retrieved. The first step in organizing types of remedial action is to select a "spec" page screen on the maintenance facility, e.g., plant, explorer graphical user interface screen is then displayed, as shown in FIG. 49, which is generally indicated by numeral 946. There is a drop-down input 948 to provide a program for a type of specification limit. The target limit of the specification limit can be labeled through input 964. There is a drop-down input 950 to provide a decimal limit for the specification limit and the lower and upper limits can be labeled through input numerals 952 and 968. There is a drop-down input 970 to provide a maximum percentage or number of samples and the number of allowed can be labeled through input 954 for the specification limit. The description of the corrective action procedure can be typed-in through an input 958 that allows verbiage to be provided in sentence or paragraph format. There is a current activation date and time indicated

by numeral 960 and an input for a new activation date and time indicated by numeral 961. There is a click-on input 964 for indicating that it is an active specification limit. There is a deactivation date and time indicated by numeral 962 and an input for a new deactivation date and time indicated by numeral 963. There is a click-on input 965 for indicating that it is a deactivation specification limit upon save. The user then clicks on a "save" graphical user interface pushbutton (not shown) to save the specification limit information with the use of a user id and a personal identification number (PIN), as previously described.

[0113] As shown in FIG. 9, the next step in the process is to create a schedule. The first step in this process is to perform the previously described "login" function <186> and select a facility, e.g., plant, explorer graphical user interface screen <188>, as shown in FIG. 9. The user then chooses the inspection for the schedule that is being created <190>. The user then right clicks on the inspection and selects configure task types from a menu <192>. The information is then completed and saved by the user by entering a combination of user identification name (userid) and a personal identification number (PIN) <194>. Then the user can close the pop-up window and return to the facility, e.g., plant explorer page <196> and return to step <190> to choose the inspection for the schedule that is being created. In the alternative, the user can click-on "Edit Instances" to schedule individual inspections and determine which workstations and scheduled items the schedule is applied <198>. Then the user can close the pop-up window and return to the facility, e.g., plant explorer page <200> and then the user returns to step <190> to choose the inspection for the schedule that is being created.

[0114] There are very specific controls that prevent the editing of data. Only a very select number of authorized users can alter data on some reports. There must always be a reason provided for changing or editing data that is electronically signed by the user. Data verification can occur at a plant, department, line or process level. It is possible to clone checkpoint settings.

[0115]

Data collection is very similar for either hand-held pocket processors that transmit by radio frequency or a desktop-type processor. The first step is to perform the previously described "login" function <100> and <120>, respectively as shown on

FIGS. 4 and 5. The next step is to select a workstation identification number if using the hand-held pocket processor <102>, as shown in FIG. 4, or select a facility, e.g., plant, explorer graphical user interface screen <122>, as shown in FIG. 5. This is followed by selecting displaying a workstation schedule if using the hand-held pocket processor <104>, as shown in FIG. 4. This is followed by selecting a inspection from the facility from scheduled or on-demand items using either the hand-held pocket processor <106>, as shown in FIG. 4 or the facility, e.g., plant, explorer graphical user interface screen <124>, as shown in FIG. 5. A combination of user identification name (userid) and personal identification number (PIN) is used to start an inspection <108> and <126>, as shown on FIGS. 4 and 5, respectively. Data is then entered to preconfigured tests with specifications <110> and <128>, as shown on FIGS. 4 and 5, respectively. Observational verification of the entered data can be completed by another user with a combination of inputted user id and password <112> and <130>, as shown on FIGS. 4 and 5, respectively. Statistical process control charts are then displayed with applicable alarms <114> and <132>, as shown on FIGS. 4 and 5, respectively. The next step in the process is to acknowledge the alarms and document the findings <116> and <134>, as shown on FIGS. 4 and 5, respectively. Finally, the user is returned to the schedule for the workstations to complete another inspection <118> and <136>, as shown on FIGS. 4 and 5, respectively. The system then returns to selecting a inspection from the facility from scheduled or on-demand items using either the hand-held pocket processor <106>, as shown in FIG. 4 or the facility, e.g., plant, explorer graphical user interface screen <124>, as shown in FIG. 5.

[0116]

Another main feature of the present invention is to provide reporting capability. As shown in FIG. 6, the first step is to perform the previously described "login" function <138>. This is then followed by selecting the desired reports from the reports menu <140>. The user then completes the report parameters and then clicks a view report graphical interface pushbutton <142>. A data collection report is then displayed <144> and then reports can be printed <154>. In the alternative, after the data collection report is then displayed <144>, then interactive reports can require electronic signatures. The alarms can then be acknowledged with the document finding requiring electronic signature as previously described <148>. Also, the data verification will require electronic signature <150>. Moreover, the pre-shipment

review will require an electronic signature <152>. The process then returns to step <142>, which is to have the user select the desired reports from the reports menu.

[0117] These reports include an alert and alarm report shown on FIG. 37 with a graphical user interface screen indicated by numeral 778. This includes a start date input 780, end date input 782, CCP identification drop-down input 784, device type drop-down input 786, monitor user drop-down input 788, acknowledged only click-on input 790, and acknowledged user drop-down input 792. There is also a click-on input to include inspection alarms 794 and a click-on input to include frequency alarms 796. There is a graphical user pushbutton 798 that allows the user to view the report.

[0118] There is a calibration report shown on FIG. 38 with a graphical user interface screen indicated by numeral 1018. There is a start date and time 1020, end date and time 1022, a drop-down input for a device type 1024 and a drop-down input for a monitor user identification 1026. There is a graphical user pushbutton 1028 that allows the user to view the report.

[0119] There is a corrective action report shown on FIG. 39 with a graphical user interface screen indicated by numeral 800. There is a start date input 802, end date input 804, drop-down input for CCP identification 806, and a drop-down input for a product selection 808. There is a graphical user pushbutton 810 that allows the user to view the report.

[0120] A data edit report is shown on FIG. 40 with a graphical user interface screen indicated by numeral 812. There is a start date and time input 814, an end date and time input 816, a lot input 818 and a drop-down input for the shift 820. There is a graphical user pushbutton 822 that allows the user to view the report.

[0121] There is an interactive alert and alarm report shown on FIG. 41 with a graphical user interface screen indicated by numeral 824. There is a start date input 826, an end date input 828, a drop-down input for a program type 830 and a drop-down input for an alarm rule 832. There is a graphical user pushbutton 834 that allows the user to view the report.

[0122] There is a pre-shipment review report is shown on FIG. 44 with a graphical user interface screen indicated by numeral 876. There is a start date and time input 878,

an end date and time input 880, a drop-down input for a program type 882, a drop-down input for a CCP identification 884, a drop-down input for a HCCP category 886, an input for a lot 888, and a drop-down input for a shift 890. There is a selection of click-on inputs for a pre-shipment review mode including: a pre-shipment review 892; a summary of reviewed checks 894; details of reviewed checks 896; and details regarding all checks 898. There is a graphical user pushbutton 900 that allows the user to view the report.

[0123] There is a hold tag report is shown on FIG. 43 with a graphical user interface screen indicated by numeral 864. There is a start date input 866, an end date input 868, a drop-down input for CCP identification 870, and a drop-down input for the product 872. There is a graphical user pushbutton 874 that allows the user to view the report.

[0124] A query report and export function is shown on FIG. 45 and indicated by numeral 1102. This includes a function to define and save program types 1104, define checkpoints 1106, define parts 1108, define tests 1110, define a date and/or time range 1112, define destination 1114 and define filters 1116. There is an input for identifying the defined item 1120 and a graphical user pushbutton 1121 to save it.

[0125] There is a root cause report that is shown on FIG. 47 with a graphical user interface screen indicated by numeral 924. There is a start date input 926, an end date input 928, a drop-down input for a test type name 930, and a drop-down input for a test name 932. There is a graphical user pushbutton 934 that allows the user to view the report.

[0126] There is a workstation schedule report that is shown on FIG. 48 with a graphical user interface screen indicated by numeral 936. There is an input for a start date and time 938, an input for an end date and time 940, and a drop-down input for the selected workstations 942. There is a graphical user pushbutton 944 that allows the user to view the report.

[0127] There is a reports log report that is shown on FIG. 46 with a graphical user interface screen indicated by numeral 910. There is an input for a start date and time 912, an input for an end date and time 914, a drop-down input for a user name 916,

a drop-down input for a report name 918 and an input for a domain name system (DNS) name. The domain name system is the mechanism where Internet domain names are located and translated into IP (Internet Protocol) addresses. A domain name is a meaningful and easy-to-remember "handle" for an Internet address. There is a graphical user pushbutton 922 that allows the user to view the report.

[0128] There is a data verification report that is shown on FIG. 42 with a graphical user interface screen indicated by numeral 836. There is an input for a start date and time 838, an input for an end date and time 840, a drop-down input for a HACCP category 842, an input for a particular lot 844, a drop-down input for a particular shift 846 and a click-on input to obtain a verification of the data. Selected critical control points can be included on a data verification report. A complete listing of all critical control points is displayed in a first column that is generally indicated by numeral 860. The desired critical control points can be selected via an "add" graphical user interface pushbutton 850 to move the highlighted critical control point from the first column 860 to a second column that is generally indicated by numeral 858. All of the critical control points can be selected via an "add all" graphical user interface pushbutton 852 to move the highlighted critical control point from the first column 860 to the second column 858. Selected critical control points can be removed from the second column 858 and returned to the first column 860 via an "<<" graphical user interface pushbutton 854. Moreover, all of the critical control points can be removed from the second column 858 and returned to the first column 860 via an "<< All" graphical user interface pushbutton 854. There is a graphical user pushbutton 862 that allows the user to view the report.

[0129] Although the preferred embodiment of the present invention and the method of using the same has been described in the foregoing specification with considerable details, it is to be understood that modifications may be made to the invention which do not exceed the scope of the appended claims and modified forms of the present invention done by others skilled in the art to which the invention pertains will be considered infringements of this invention when those modified forms fall within the claimed scope of this invention.

Claims

[c1] A method for monitoring facility data utilizing a computer system comprising:
inputting information relating to at least one part from at least one input device into the computer system;
inputting information relating to at least one field from the at least one input device into the computer system; and
inputting measurement data from a plurality of measurement devices, wherein the inputted measurement data is at least partially correlated to the information related to the at least one part and the information related to the at least one field.

[c2] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, wherein the inputting information relating to the at least one part includes inputting least one part type and inputting at least one specific part and the inputting information relating to the at least one field includes inputting at least one field type and inputting at least one specific field.

[c3] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, further comprises inputting information relating to at least one facility into the computer system.

[c4] The method for monitoring facility data utilizing a computer system as set forth in Claim 2, wherein the at least one part type is selected from the group consisting of types of components of products, types of subassemblies of products, types of fully assembled products, types of manufacturing machines, and types of processing machines.

[c5] The method for monitoring facility data utilizing a computer system as set forth in Claim 2, wherein the at least one specific part includes information that is selected from the group consisting of at least one part name, at least one part type, at least one product code, at least one brand code, at least one regulatory category, at least one Hazard Analysis and Critical Control Point category and at least one product characteristic information.

[c6] The method for monitoring facility data utilizing a computer system as set forth

in Claim 2, wherein the at least one field group is selected from the group consisting of bone types, zero tolerance items, reprocessed zero tolerance items, salvaged zero tolerance items, fecal contamination locations, sanitation standard operating procedures (SSOP) ratings and work-in-progress temperatures.

[c7] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, wherein the inputting measurement data from a plurality of measurement devices includes inputting at least one type of unit of measurement.

[c8] The method for monitoring facility data utilizing a computer system as set forth in Claim 7, wherein the at least one type of unit of measurement is selected from the group consisting of weight, count, temperature, percentage, string data, date, time, proportion, measurement, speed, pressure and length of time.

[c9] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, wherein the inputting measurement data from a plurality of measurement devices includes inputting at least one specific unit of measurement.

[c10] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, wherein the inputting measurement data from a plurality of measurement devices includes inputting at least one type of test.

[c11] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, wherein the inputting measurement data from a plurality of measurement devices includes at least one specific test.

[c12] The method for monitoring facility data utilizing a computer system as set forth in Claim 10, wherein the at least one type of test is selected from the group consisting of a temperature of a product at a particular point in processing, inspection for fecal contamination, weight of the product, percentage of trisodium phosphate solution, verification of critical limits, pre-shipment verification of product quality, thermometer calibration with comparison against NST certified standard weight and visual inspections regarding sanitation.

[c13] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, wherein the inputting measurement data from a plurality of measurement devices includes inputting information selected from the group consisting of at least one type of measurement device, at least one manufacturer of a measurement device, at least one model of measurement device and at least one specific measurement device.

[c14] The method for monitoring facility data utilizing a computer system as set forth in Claim 13, wherein the inputting information relating to at least one type of measurement device is selected from the group consisting of at least one name of a measurement device type, at least one indication as to whether a measurement device type is portable, at least one unit of measurement for a measurement device type, at least one name of a manufacturer of a measurement device, contact information for a manufacturer of a measurement device, at least one indication as to whether a manufacturer of a measurement device is active, at least one name of a measurement device model, at least one manufacturer of a measurement device model, at least one type of measurement device model, at least one indication as to whether a measurement device model requires calibration, at least one indication as to whether a model of measurement device model requires two-point calibration, at least one indication as to whether at least one model of measurement device is active, at least one name of a specific measurement device, at least one type for a specific measurement device, at least one serial number for a specific manufacturing device, at least one indication of whether a specific measurement device is a reference device, at least one calibration procedure for a specific measurement device, at least one indication as to whether a serial port is utilized for a specific measurement device and at least one indication as to whether or not a specific measurement device is active.

[c15] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, further comprising entering and viewing the measurement data utilizing at least one workstation.

[c16] The method for monitoring facility data utilizing a computer system as set forth

in Claim 15, wherein the at least one workstation is selected from the group consisting of pocket processors, industrial computers, programmable logic controllers and personal computers.

[c17] The method for monitoring facility data utilizing a computer system as set forth in Claim 15, wherein the computer system includes at least one main server that is able to transmit data with the at least one workstation through a group consisting of wireless communication, direct hardwired connection, local area networks, wireless communication, internet and wide area network.

[c18] The method for monitoring facility data utilizing a computer system as set forth in Claim 15, wherein the at least one workstation includes associated information from the group consisting of at least one name of a workstation type, at least one indication as to whether a workstation type is portable, at least one name of a workstation manufacturer, contact information for a workstation manufacturer, at least one indication as to whether a workstation manufacturer is active, at least one name of a workstation model, at least one name of a workstation model manufacturer, at least one type of workstation and at least one indication as to whether a workstation model is active, at least one name of a specific workstation, at least one type of a specific workstation, at least one serial number for a specific workstation, and at least one indication as to whether a specific workstation is active.

[c19] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, further comprising evaluating the inputted measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails.

[c20] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, further comprising evaluating the inputted measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing an assignable causes when the at least one predetermined test fails.

[c21] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, further comprising evaluating the inputted measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a recommended remedial action when the at least one predetermined test fails.

[c22] The method for monitoring facility data utilizing a computer system as set forth in Claim 19, wherein the at least one predetermined test includes aspects selected from the group consisting of at least one predetermined target, a selection of a predetermined number of decimals from the predetermined target, an indication of whether there is zero tolerance regarding the predetermined target, a selection of an upper alert limit for the predetermined target, a selection of a lower alert limit for the predetermined target, a selection of an upper alarm limit for the predetermined target, a selection of an lower alarm limit for the predetermined target, a selection of an upper guard limit for the predetermined target, a selection of an lower guard limit for the predetermined target, a selectable maximum percentage of an upper limit, a selectable value for the maximum upper limit, an input for an alarm string, a corrective action procedure for the at least one predetermined test, an activation date for the at least one predetermined test, an activation time for the at least one predetermined test, a deactivation date for the at least one predetermined test and a deactivation time for the at least one predetermined test.

[c23] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, further comprising generating reports with the computer system.

[c24] The method for monitoring facility data utilizing a computer system as set forth in Claim 23, wherein the generating reports with the computer system includes reports selected from the group consisting of at least one calibration report, at least one alert report, at least one alarm report, at least one corrective action report, at least one data edit report, at least one data verification report, at least one hold tag report, at least one pre-shipment review report, at least one report log report, at least one root cause report and at least one workstation schedule

report.

[c25] The method for monitoring facility data utilizing a computer system as set forth in Claim 23, further providing an electronic signature from at least one user for reports selected from the group of reports consisting of the at least one alarm report, the at least one data edit report, the at least one data verification report, and the at least one pre-shipment review report.

[c26] The method for monitoring facility data utilizing a computer system as set forth in Claim 15, further comprising identifying at least one first user that provides the entering of the measurement data utilizing at least one workstation.

[c27] The method for monitoring facility data utilizing a computer system as set forth in Claim 26, wherein the identifying at least one first user that provides the entering of the measurement data utilizing at least one workstation includes inputting a userid and a personal identification number to create an electronic signature.

[c28] The method for monitoring facility data utilizing a computer system as set forth in Claim 26, further comprising observing verification of the entered measurement data by the at least one first user with at least one second user.

[c29] The method for monitoring facility data utilizing a computer system as set forth in Claim 28, further comprising identifying the identity of the at least one second user by inputting a userid and a personal identification number to create an electronic signature.

[c30] The method for monitoring facility data utilizing a computer system as set forth in Claim 19, wherein the failure of the at least one predetermined test generates an alarm.

[c31] The method for monitoring facility data utilizing a computer system as set forth in Claim 19, further including generating at least one statistical process control chart utilizing the inputted measurement data.

[c32] The method for monitoring facility data utilizing a computer system as set forth in Claim 1, wherein selective aspects of the computer system can be selectively

blocked from view for a user depending on a predetermined security role determined for that user.

[c33] A method for monitoring facility data utilizing a computer system comprising:
inputting information relating to at least one part into the computer system;
inputting information relating to at least one field into the computer system;
inputting measurement data from a plurality of measurement devices;
entering and viewing measurement data utilizing at least one workstation; and
evaluating the inputted measurement data from a plurality of measurement devices with the computer system in accordance with at least one predetermined test and providing a notification when the at least one predetermined test fails.

[c34] A computer system for monitoring facility data comprising:
at least one input device for receiving information relating to at least one part and receiving information relating to at least one field; and
a plurality of measurement devices for receiving measurement data, wherein the inputted measurement data is at least partially correlated to the information related to the at least one part and the information related to the at least one field.

[c35] The computer system for monitoring facility data as set forth in Claim 34, wherein the information relating to the at least one part includes at least one part type and at least one specific part and the information relating to the at least one field includes at least one field type and at least one specific field.

[c36] The computer system for monitoring facility data as set forth in Claim 35, wherein the at least one part type is selected from the group consisting of types of components of products, types of subassemblies of products, types of fully assembled products, types of manufacturing machines and types of processing machines, wherein the at least one specific part includes information that is selected from the group consisting of at least one part name, at least one part type, at least one product code, at least one brand code, at least one regulatory category, at least one Hazard Analysis and Critical Control Point category and at least one product characteristic information and wherein the at least one field

group is selected from the group consisting of bone types, zero tolerance items, reprocessed zero tolerance items, salvaged zero tolerance items, fecal contamination locations, sanitation standard operating procedures (SSOP) ratings and work-in-progress temperatures.

[c37] The computer system for monitoring facility data as set forth in Claim 34, wherein the inputted measurement data that is correlated to the information related to the at least one part and the information that is related to the at least one field includes information selected from the group consisting of at least one type of unit of measurement, at least one specific unit of measurement, at least one type of test, at least one specific test, at least one type of measurement device, at least one manufacturer of a measurement device, at least one model of measurement device and at least one specific measurement device.

[c38] The computer system for monitoring facility data as set forth in Claim 34, further comprising at least one workstation for entering and viewing the measurement data.

[c39] The computer system for monitoring facility data as set forth in Claim 38, wherein the at least one workstation is selected from the group consisting of pocket processors, industrial computers, programmable logic controllers and personal computers.

[c40] The computer system for monitoring facility data as set forth in Claim 34, further comprising at least one main server that is able to transmit data with the at least one workstation through a group consisting of wireless communication, direct hardwired connection, local area networks, wireless communication, internet and wide area network.

[c41] The computer system for monitoring facility data as set forth in Claim 34, wherein the inputted measurement data is evaluated with the computer system with at least one predetermined test and a notification is provided if the at least one predetermined test fails.

[c42] The computer system for monitoring facility data as set forth in Claim 34, wherein the computer system generates at least one report.

[c43] The computer system for monitoring facility data as set forth in Claim 42, wherein the at least one report is selected from the group consisting of at least one calibration report, at least one alert report, at least one alarm report, at least one corrective action report, at least one data edit report, at least one data verification report, at least one hold tag report, at least one pre-shipment review report, at least one report log report, at least one root cause report and at least one workstation schedule report.

[c44] The computer system for monitoring facility data as set forth in Claim 34, wherein the at least one workstation requires identification of at least one first user that provides the entering of the measurement data with an electronic signature.

[c45] The computer system for monitoring facility data as set forth in Claim 34, wherein the at least one workstation requires identification of at least one second user that observes the entered measurement data by the at least one first user with an electronic signature.

[c46] The computer system for monitoring facility data as set forth in Claim 34, wherein the computer system generates an alarm upon failure at least one predetermined test.

[c47] The computer system for monitoring facility data as set forth in Claim 34, wherein the computer system generates a response from the group consisting of a recommended remedial action and an assignable cause.

A SYSTEM AND METHOD FOR MONITORING FACILITY DATA

Abstract of Disclosure

A system and method for monitoring facility data is disclosed. This includes at least one processor capable of receiving inputted data and generating alerts or alarms when scheduled activity does not occur, monitoring whether devices used in the facility are calibrated, determining what corrective actions are appropriate if defects occur, provide control over who and how users edit data, provide a pre-shipment review of products leaving a facility, determining disposition of at least one product, developing root causes for defects and scheduling tasks. There is an ability for a wide variety of individuals having access to exactly the same program with material added or blocked-out in terms of zones and data monitoring can be defined in terms of department, lines and processes with complete flexibility in configuration. There are both data collectors and data verifiers with the establishment of schedules and alarms tailored to each role.

Figures

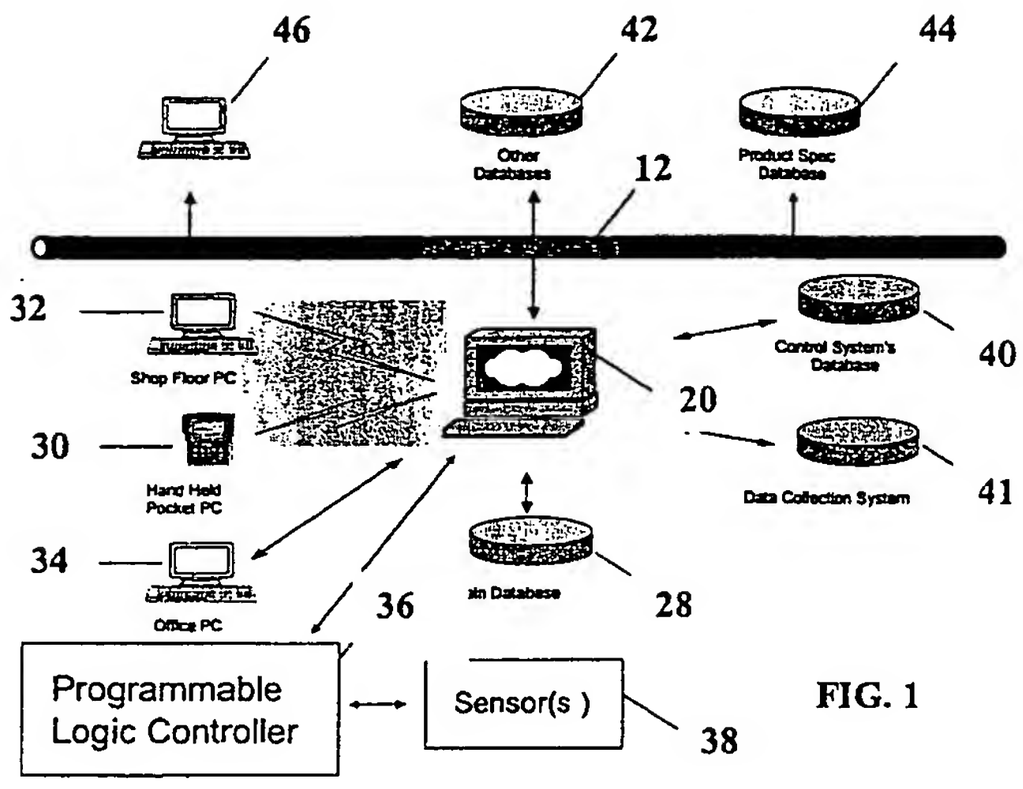

46
42
44
Other Databases
12
Product Spec Database
32
Shop Floor PC
Control System's Database
40
20
30
Hand Held Pocket PC
Data Collection System
41
34
Office PC
36
28
Programmable Logic Controller
Sensor(s)
38

FIG. 1

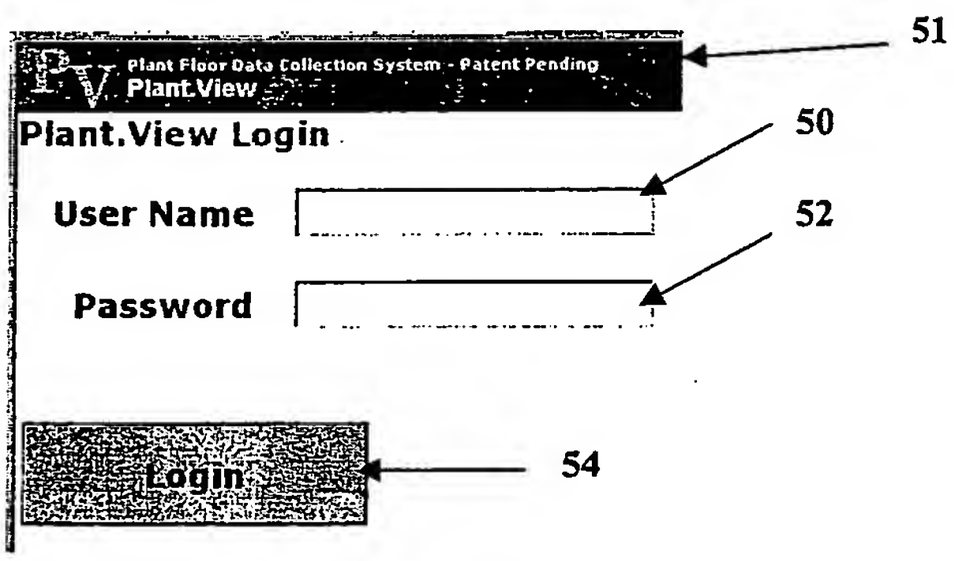
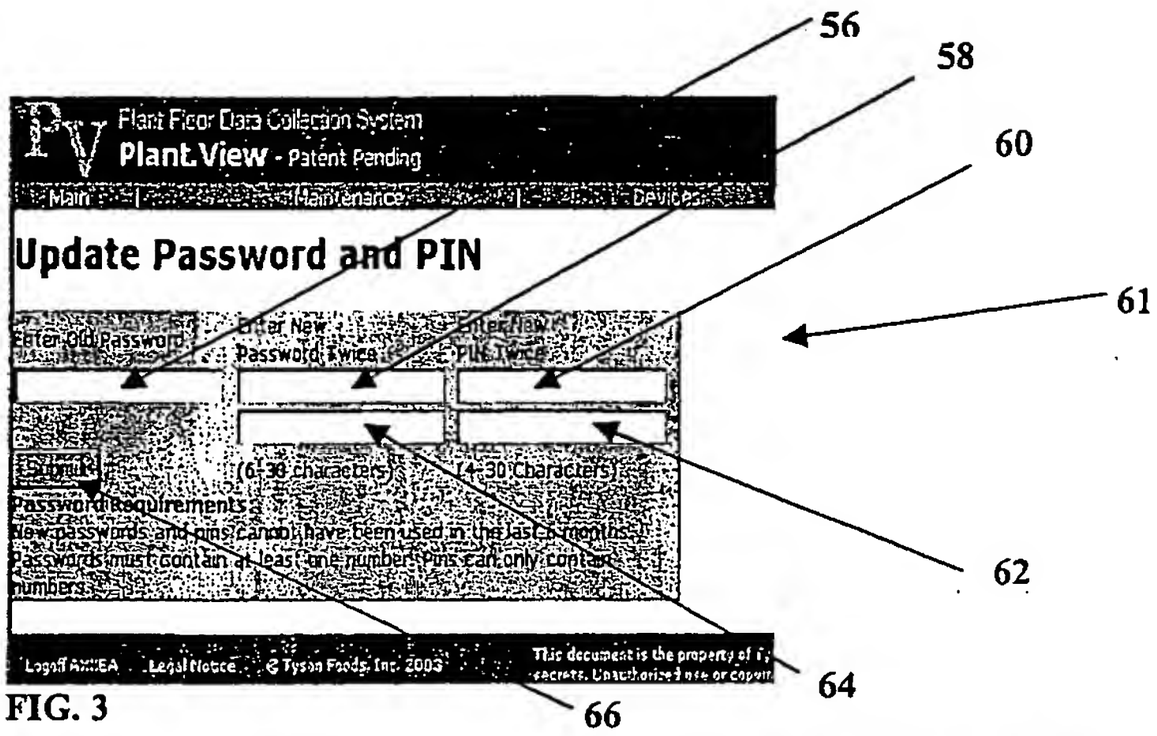

Plant Floor Data Collection System - Patent Pending
Plant.View
51
Plant.View Login
50
User Name
52
Password
Login
54

FIG. 2


Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Devices
Update Password and PIN
Enter Old Password
Enter New Password Twice
Enter New PIN Twice
Submit
(6-30 characters)
(4-30 characters)
Password Requirements:
New passwords and pins cannot have been used in the last 6 months.
Passwords must contain at least one number. Pins can only contain numbers.
Logoff AXIEA
Legal Notice
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This document is the property of T
secrets. Unauthorized use or copyin
56
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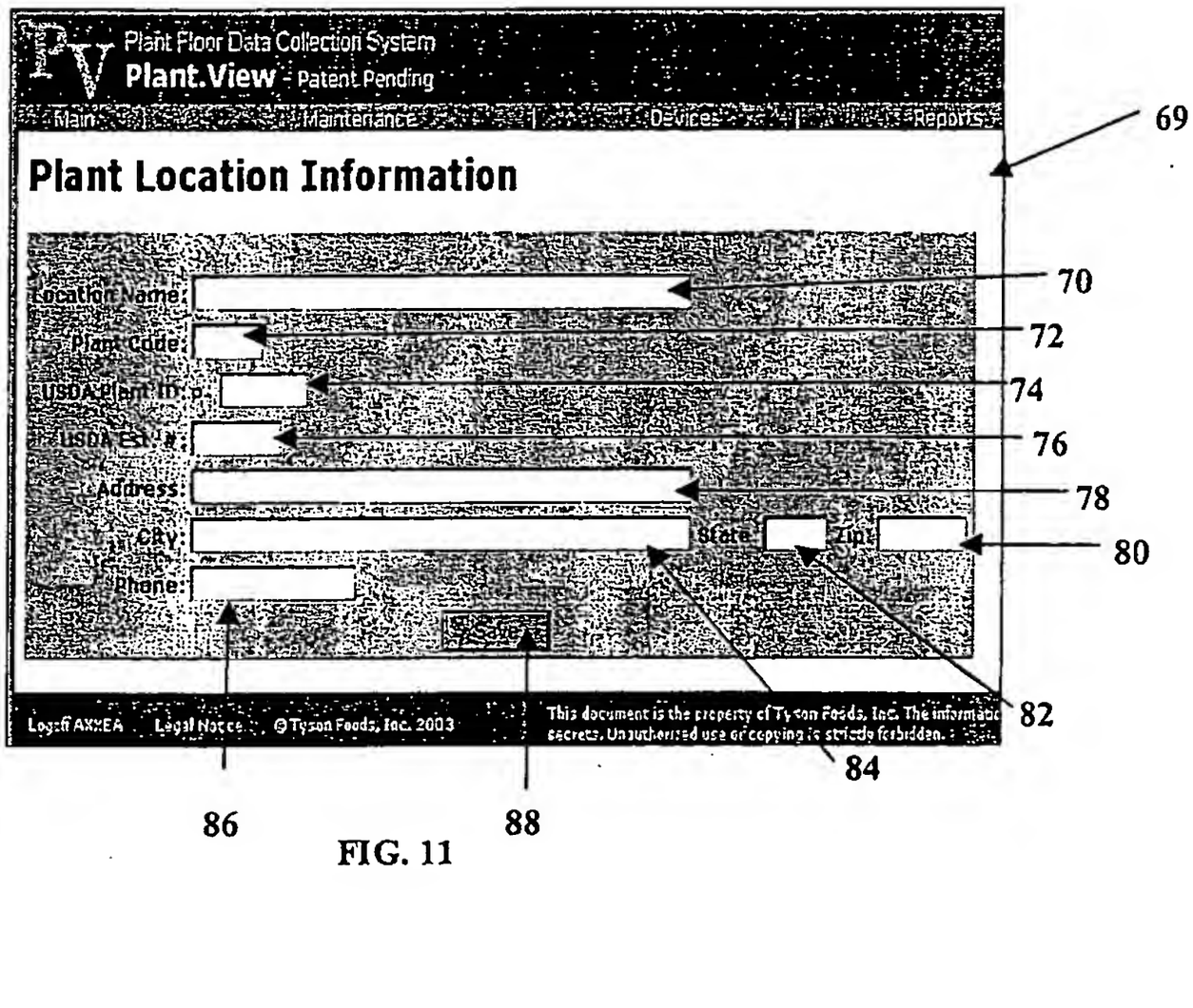
FIG. 3


Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Devices
Reports
Plant Location Information
Location Name:
Plant Code:
USDA Plant ID #:
USDA Est. #:
Address:
City:
State:
Zip:
Phone:
Submit
Logoff AXIEA
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secrets. Unauthorized use or copying is strictly forbidden.
69
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78
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84
86
88

FIG. 11

RF Pocket PC Handheld Data Collection Flow

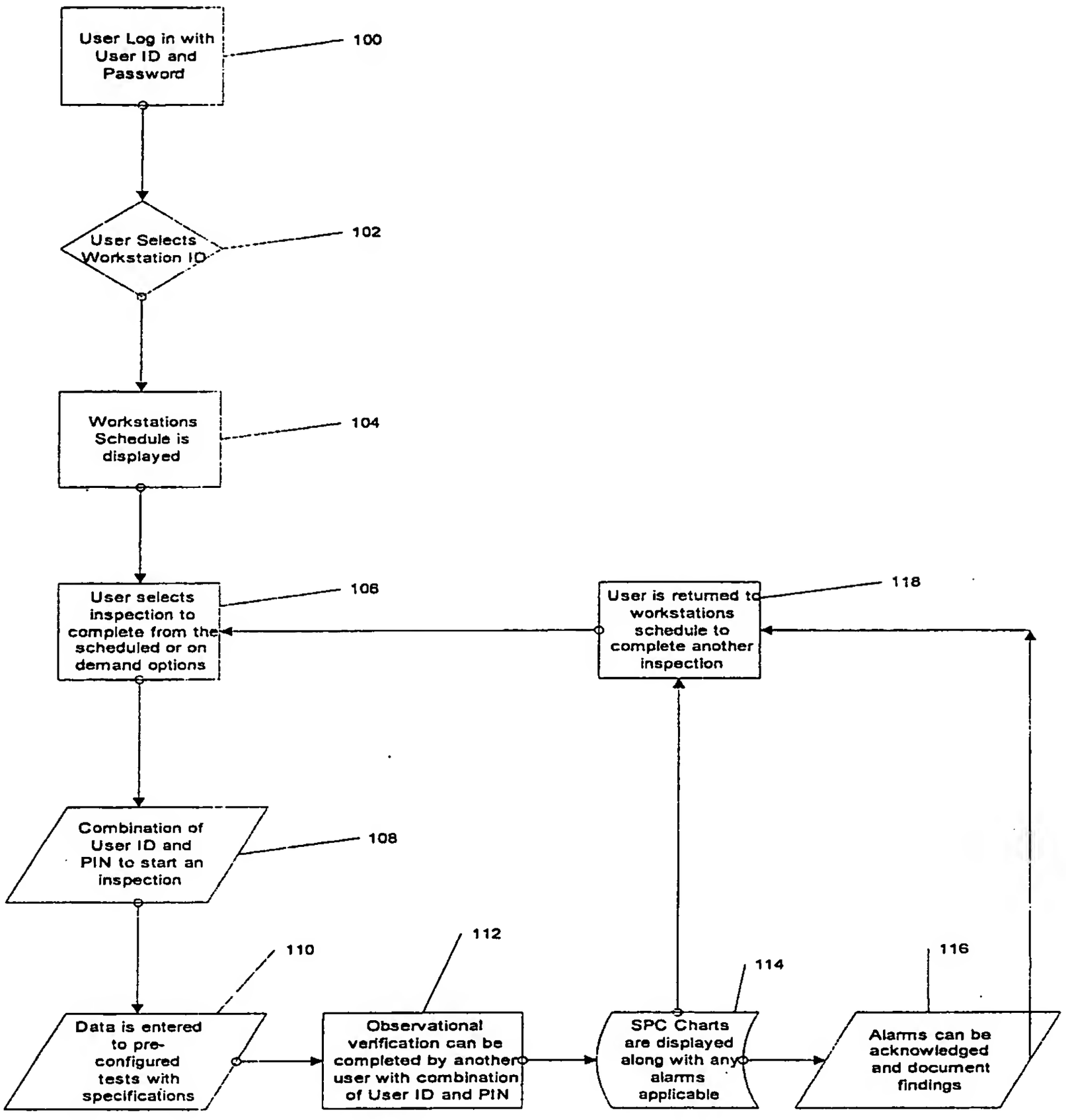

FIG. 4

Desktop Data Collection Flow

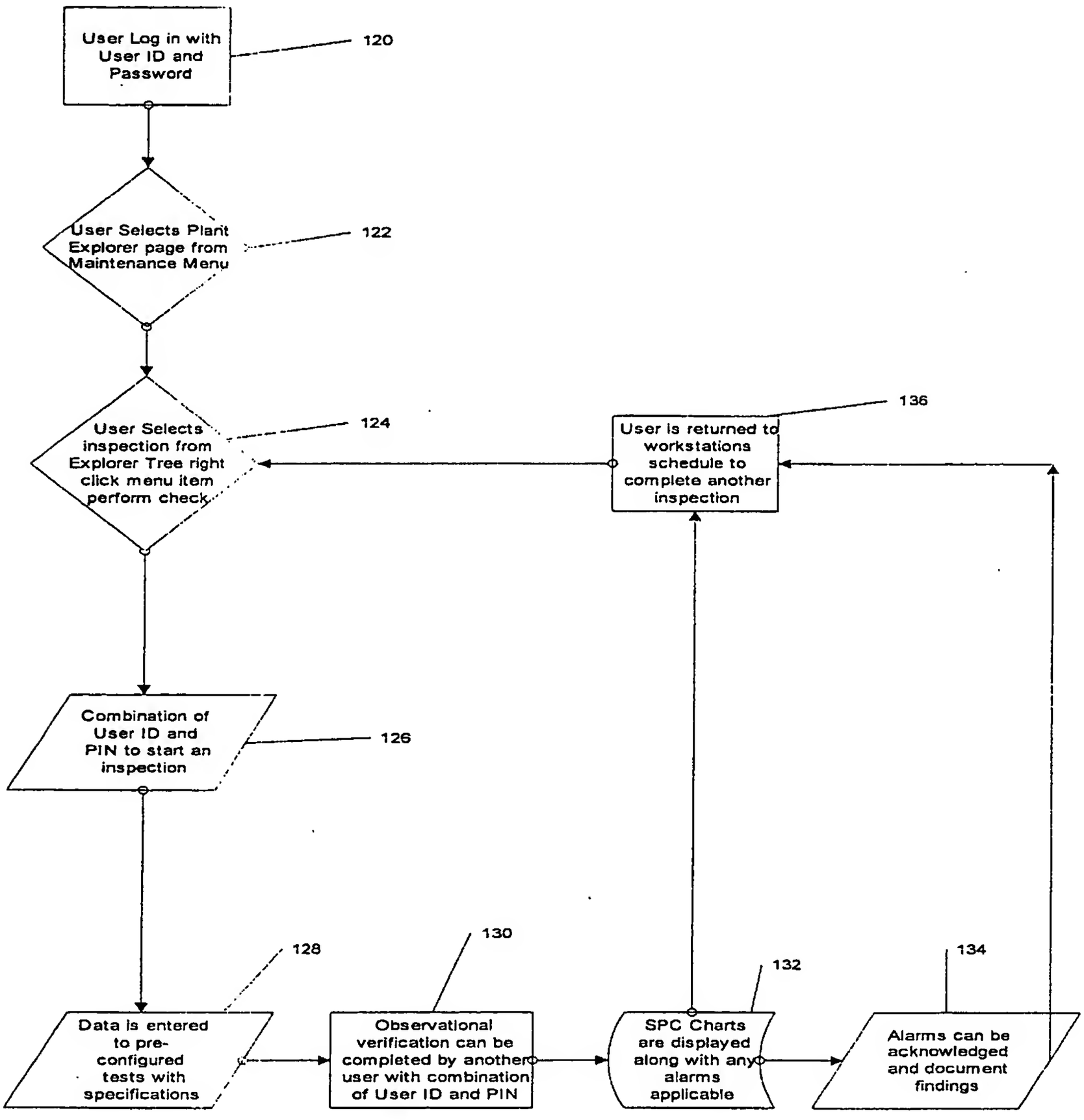

FIG. 5

Desktop Data Reporting Flow

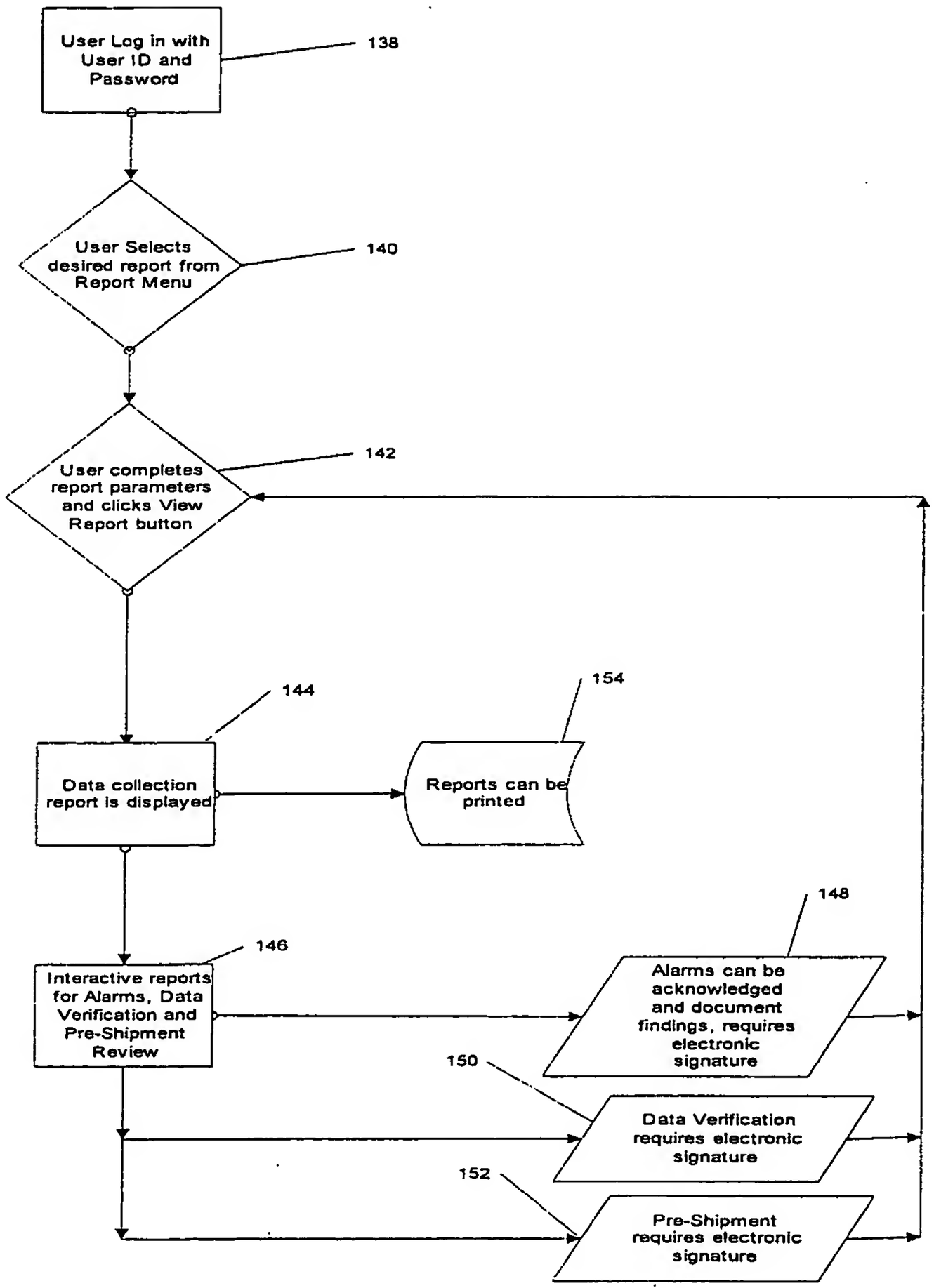

FIG. 6

Process to Add Users to the System

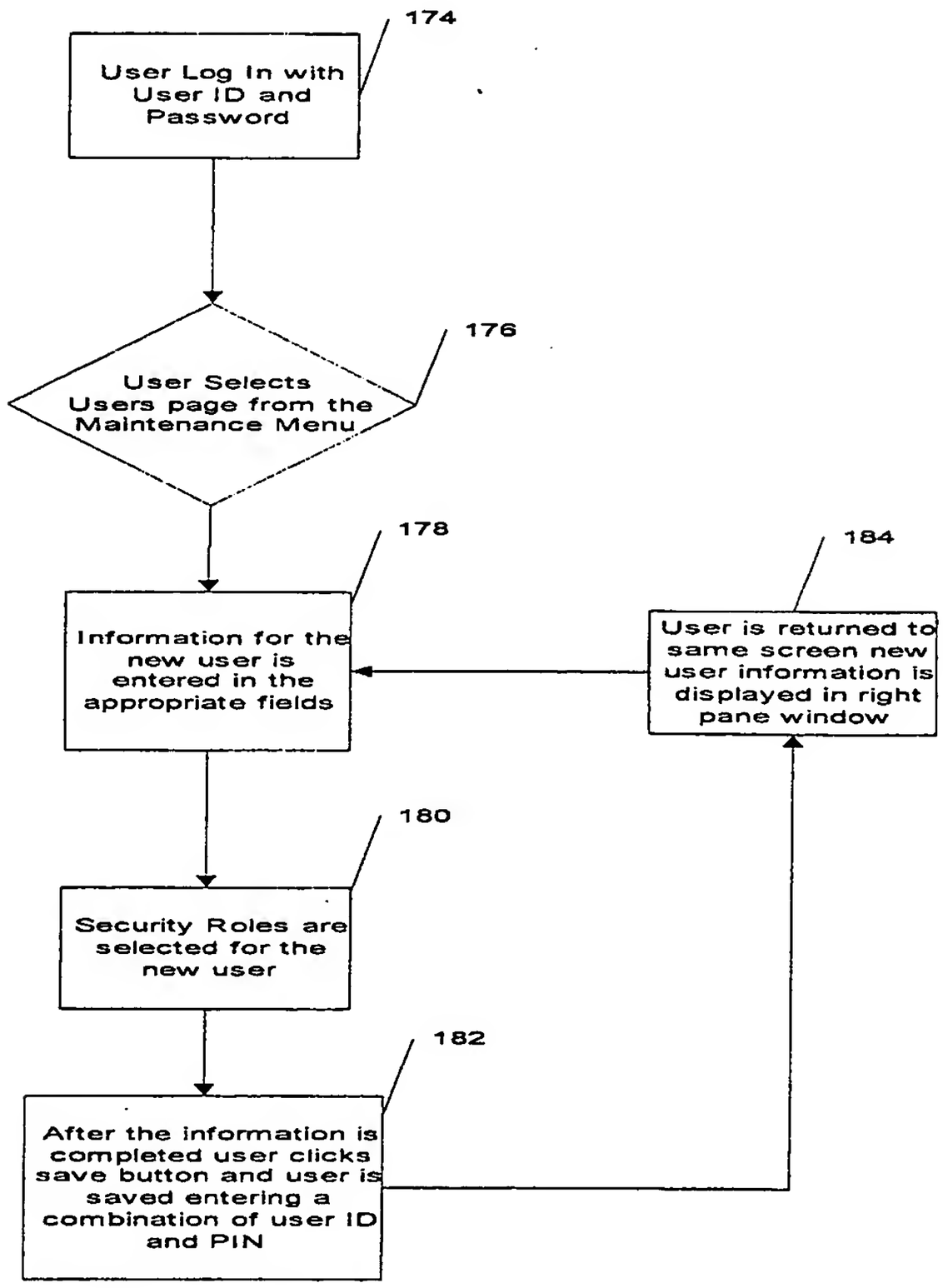

FIG. 7

Creating Inspection Points or Data Collection Tests Flow

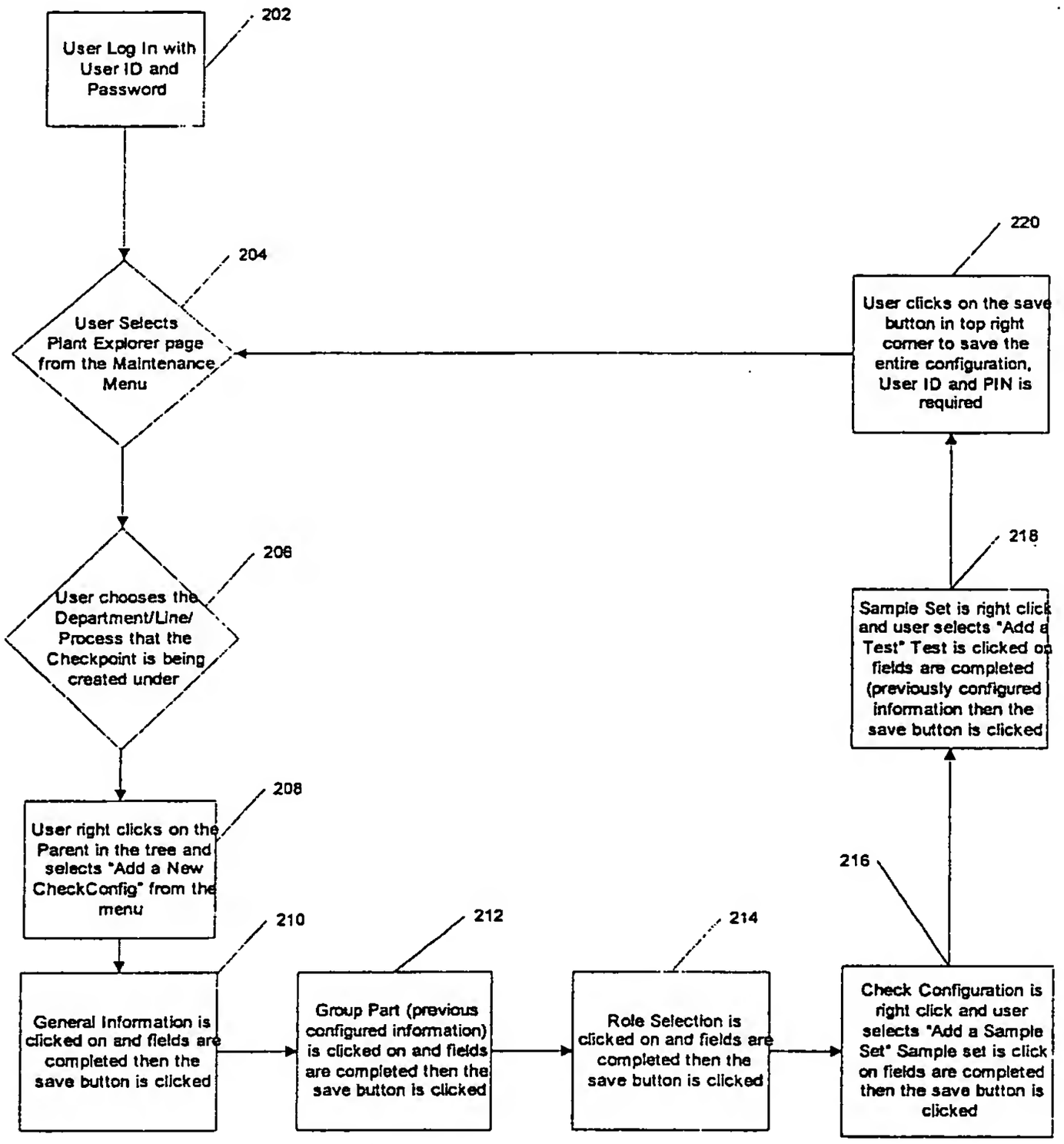

FIG. 8

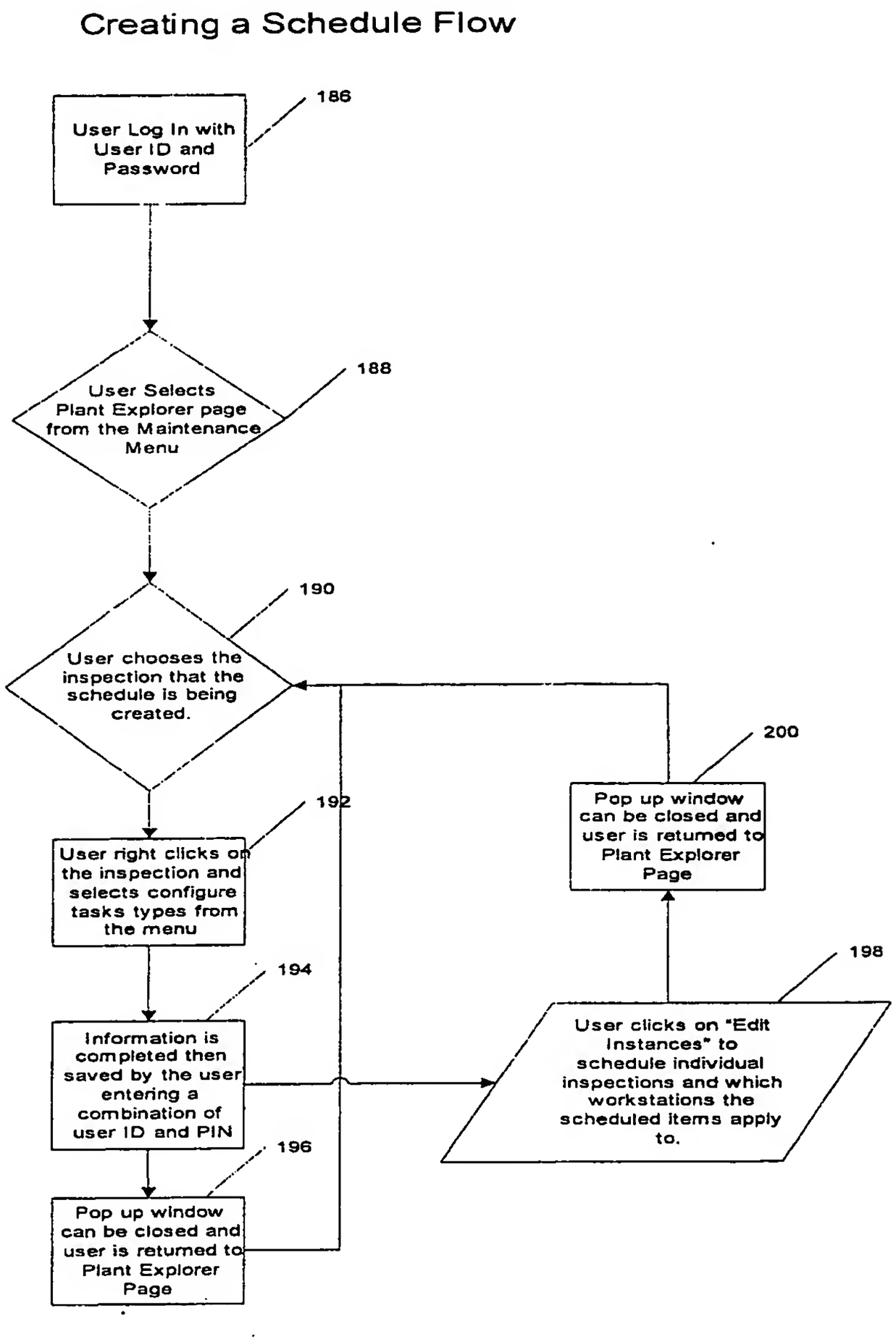
Creating a Schedule Flow
User Log In with User ID and Password
186
User Selects Plant Explorer page from the Maintenance Menu
188
User chooses the inspection that the schedule is being created.
190
User right clicks on the inspection and selects configure tasks types from the menu
192
Information is completed then saved by the user entering a combination of user ID and PIN
194
Pop up window can be closed and user is returned to Plant Explorer Page
196
Pop up window can be closed and user is returned to Plant Explorer Page
200
User clicks on "Edit Instances" to schedule individual inspections and which workstations the scheduled items apply to.
198

FIG. 9

Adding and Updating Part Information

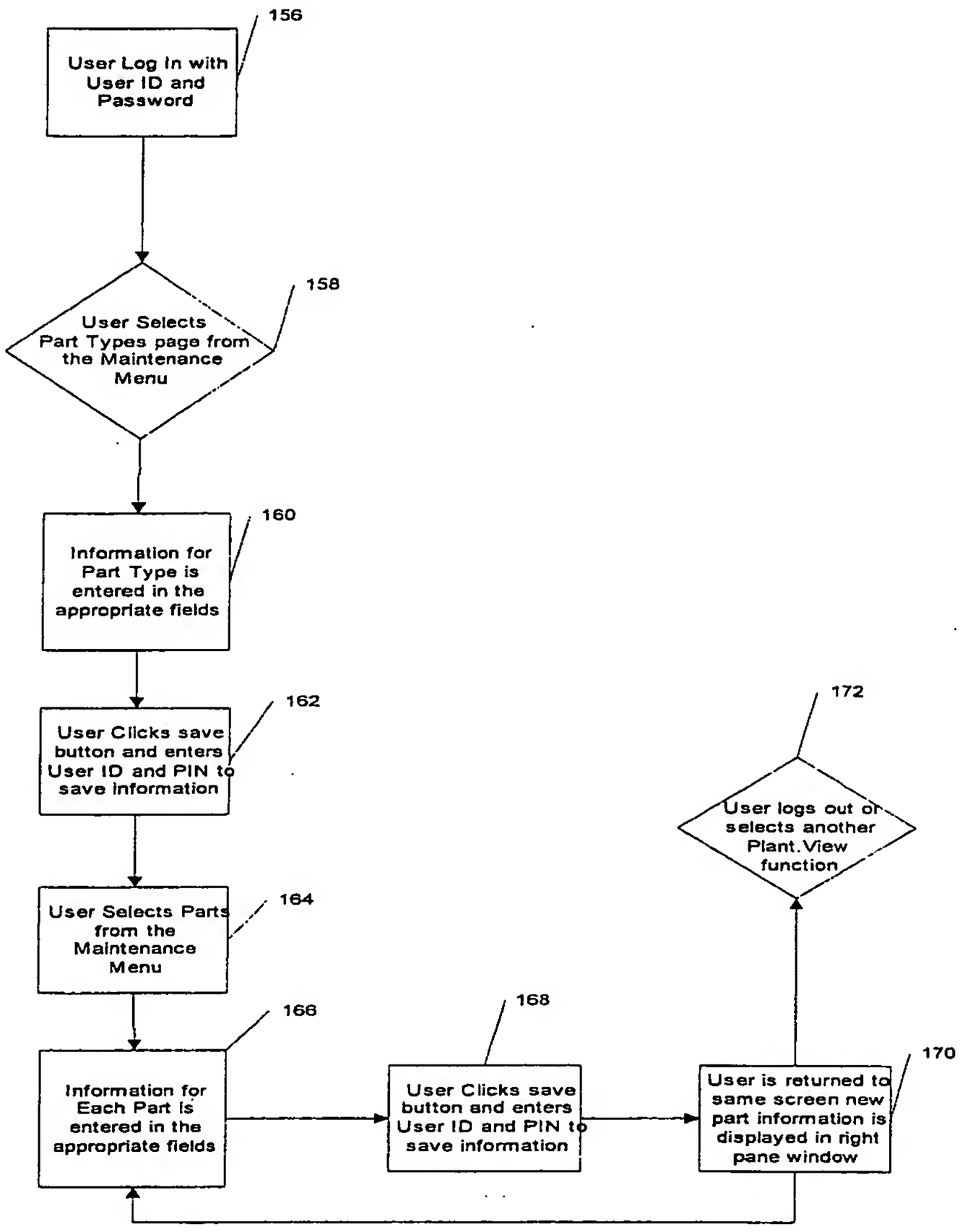

FIG. 10

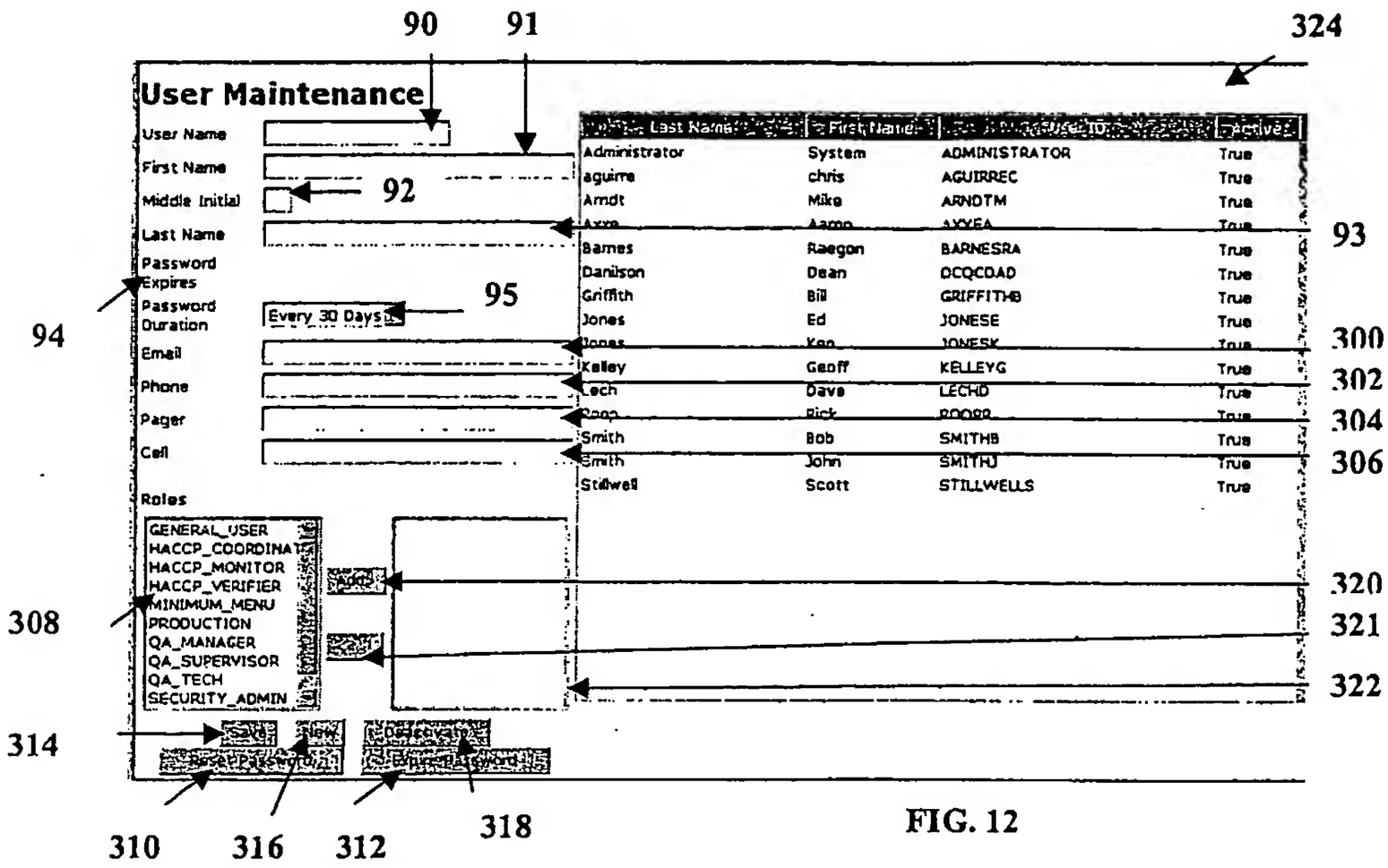
User Maintenance
User Name
First Name
Middle Initial
Last Name
Password Expires
Password Duration
Every 30 Days
Email
Phone
Pager
Cell
Roles
GENERAL_USER
HACCP_COORDINATOR
HACCP_MONITOR
HACCP_VERIFIER
MINIMUM_MENU
PRODUCTION
QA_MANAGER
QA_SUPERVISOR
QA_TECH
SECURITY_ADMIN
Last Name
First Name
Active
Administrator System ADMINISTRATOR True
aguirre chris AGUIRREC True
Arndt Mike ARNDTM True
Barnes Raegon BARNESRA True
Danilson Dean DCQCDAD True
Griffith Bill GRIFFITHB True
Jones Ed JONESE True
Kelley Geoff KELLEYG True
Lech Dave LECHD True
Smith Bob SMITHB True
Smith John SMITHJ True
Stillwell Scott STILLWELLS True
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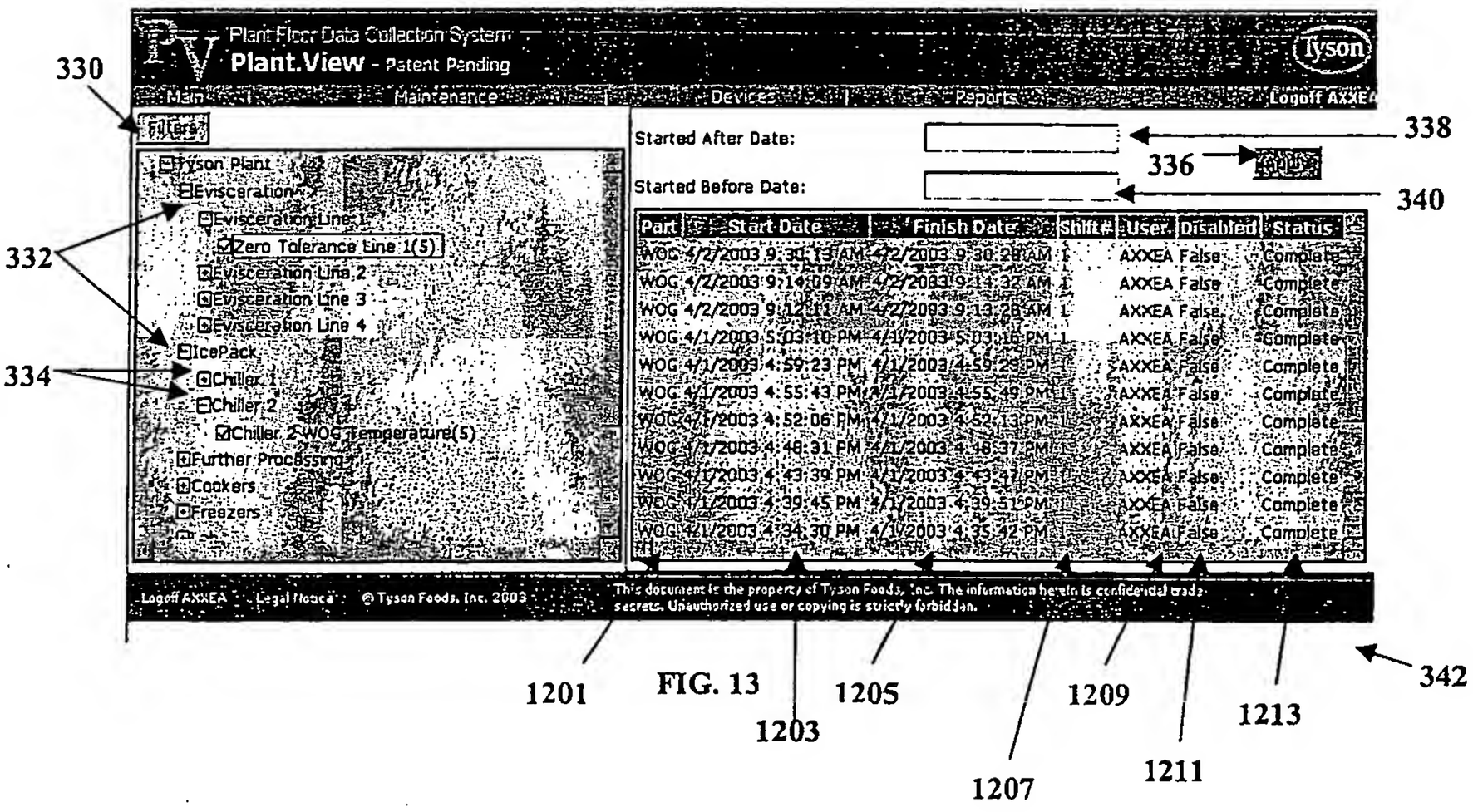
FIG. 12


Plant Floor Data Collection System
Plant.View - Patent Pending
Tyson
Main
Maintenance
Devices
Reports
Logoff AXXEA
Filters
Tyson Plant
Evisceration
Evisceration Line 1
Zero Tolerance Line 1(5)
Evisceration Line 2
Evisceration Line 3
Evisceration Line 4
IcePack
Chiller 1
Chiller 2
Chiller 2 WOG Temperature(5)
Further Processing
Cookers
Freezers
Started After Date:
Started Before Date:
Apply
Part Start Date Finish Date Shift# User Disabled Status
WOG 4/2/2003 9:30:19 AM 4/2/2003 9:30:28 AM 1 AXXEA False Complete
WOG 4/2/2003 9:14:09 AM 4/2/2003 9:14:32 AM 1 AXXEA False Complete
WOG 4/2/2003 9:12:11 AM 4/2/2003 9:13:28 AM 1 AXXEA False Complete
WOG 4/1/2003 5:03:10 PM 4/1/2003 5:03:16 PM 1 AXXEA False Complete
WOG 4/1/2003 4:59:23 PM 4/1/2003 4:59:29 PM 1 AXXEA False Complete
WOG 4/1/2003 4:55:43 PM 4/1/2003 4:55:49 PM 1 AXXEA False Complete
WOG 4/1/2003 4:52:06 PM 4/1/2003 4:52:13 PM 1 AXXEA False Complete
WOG 4/1/2003 4:48:31 PM 4/1/2003 4:48:37 PM 1 AXXEA False Complete
WOG 4/1/2003 4:43:39 PM 4/1/2003 4:43:47 PM 1 AXXEA False Complete
WOG 4/1/2003 4:39:45 PM 4/1/2003 4:39:51 PM 1 AXXEA False Complete
WOG 4/1/2003 4:34:30 PM 4/1/2003 4:35:42 PM 1 AXXEA False Complete
Logoff AXXEA
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1201
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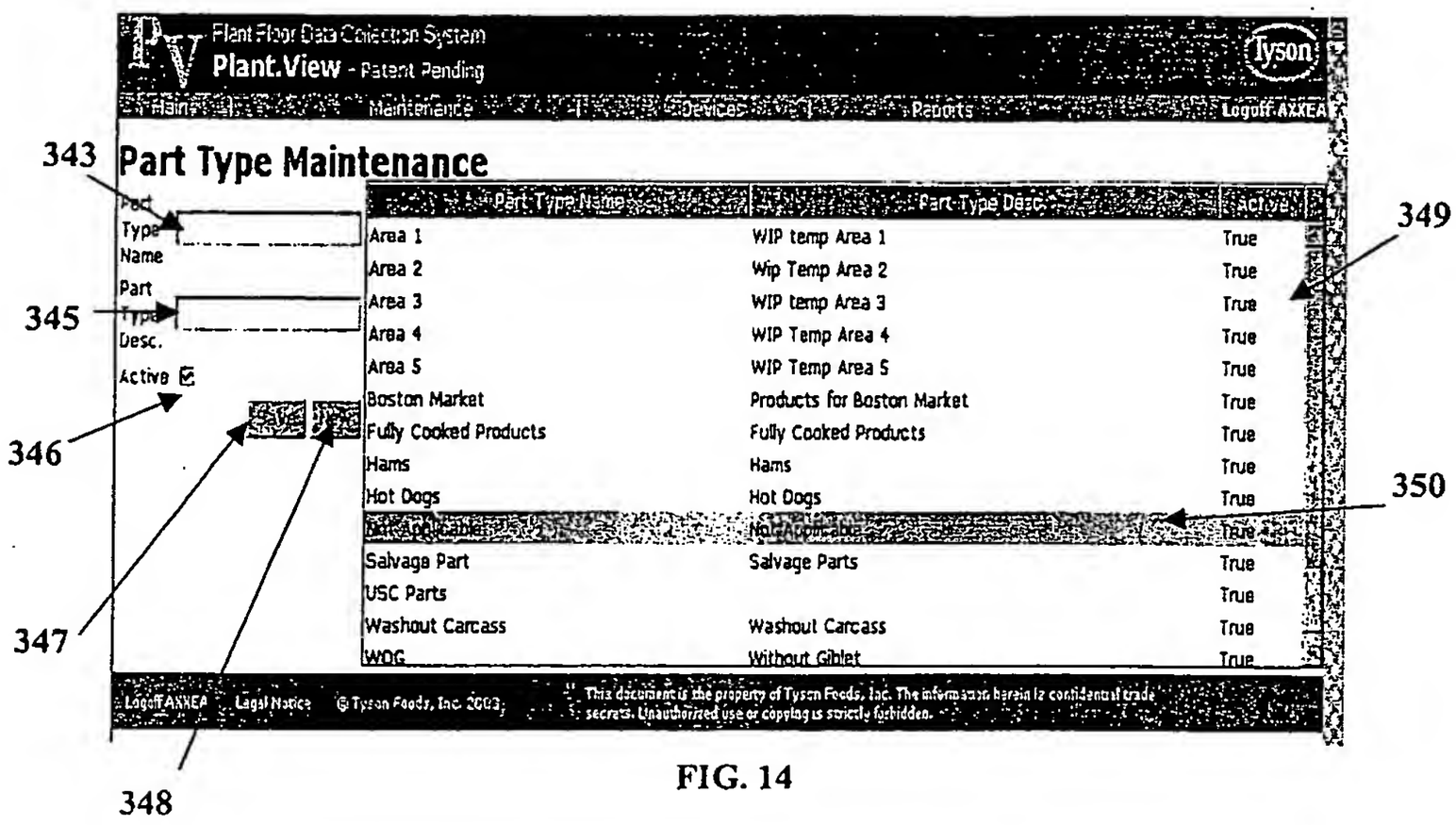
1205
1207
1209
1211
1213

FIG. 13


Plant Floor Data Collection System
Plant.View - Patent Pending
Tyson
Main
Maintenance
Devices
Reports
Logoff AXXEA
Part Type Maintenance
Part Type Name
Part Type Desc.
Active
Area 1 WIP temp Area 1 True
Area 2 Wip Temp Area 2 True
Area 3 WIP temp Area 3 True
Area 4 WIP Temp Area 4 True
Area 5 WIP Temp Area 5 True
Boston Market Products for Boston Market True
Fully Cooked Products Fully Cooked Products True
Hams Hams True
Hot Dogs Hot Dogs True
Not Applicable Not Applicable True
Salvage Part Salvage Parts True
USC Parts True
Washout Carcass Washout Carcass True
WOG Without Giblet True
Logoff AXXEA
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343
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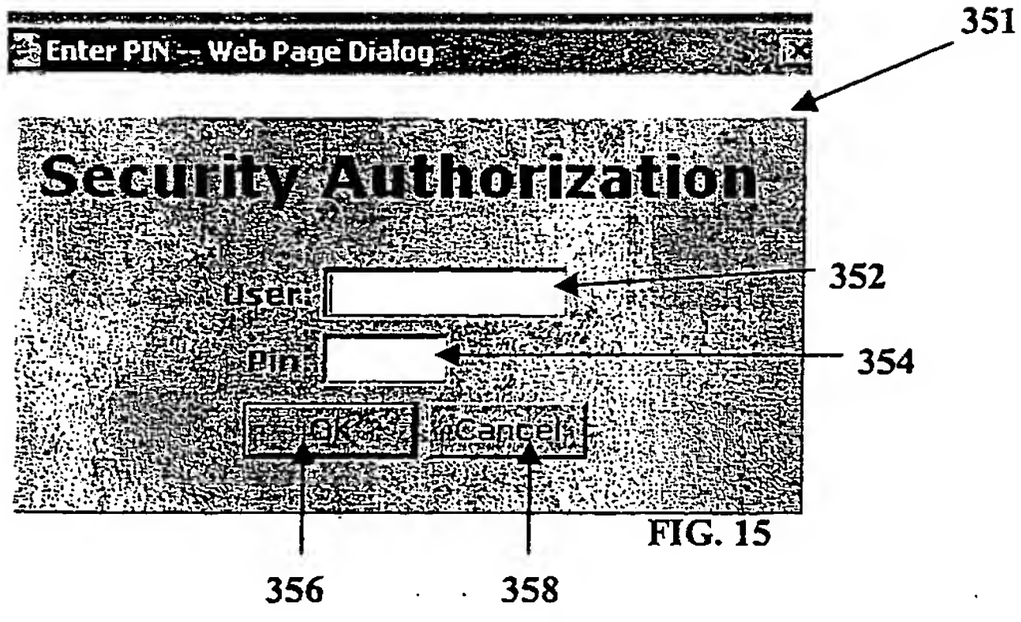
FIG. 14


Enter PIN -- Web Page Dialog
Security Authorization
User:
Pin:
OK
Cancel
351
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356
358

FIG. 15

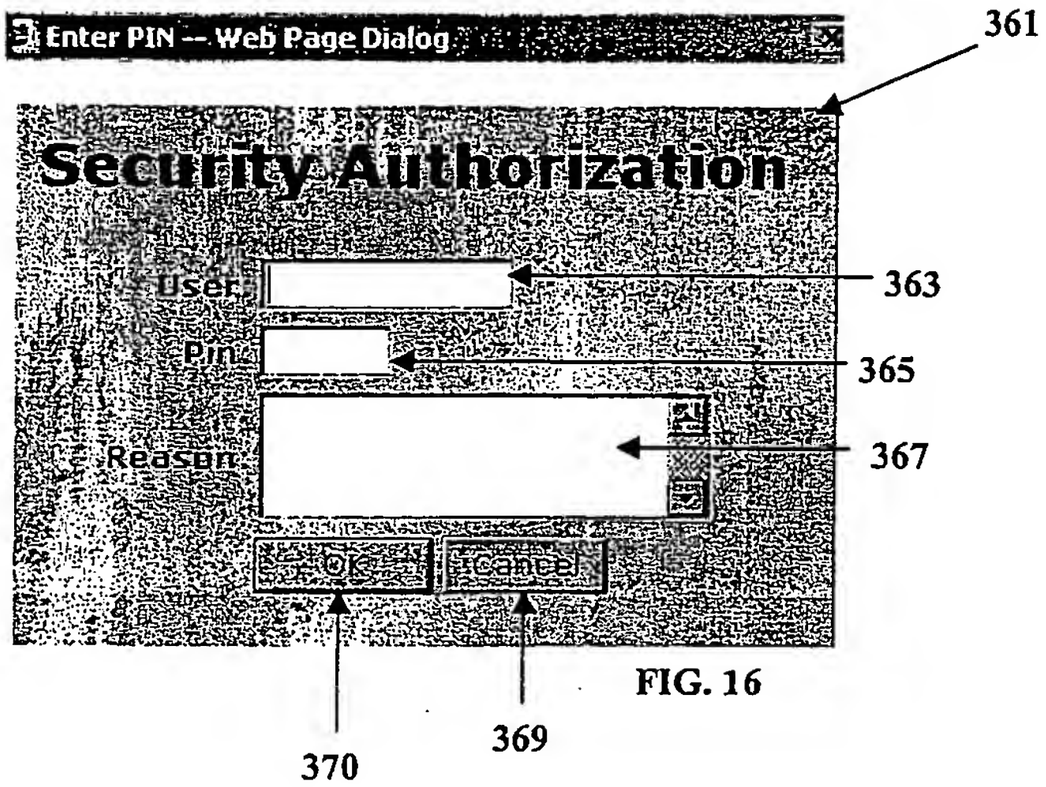
Enter PIN -- Web Page Dialog
Security Authorization
User
Pin
Reason
OK
Cancel
361
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FIG. 16

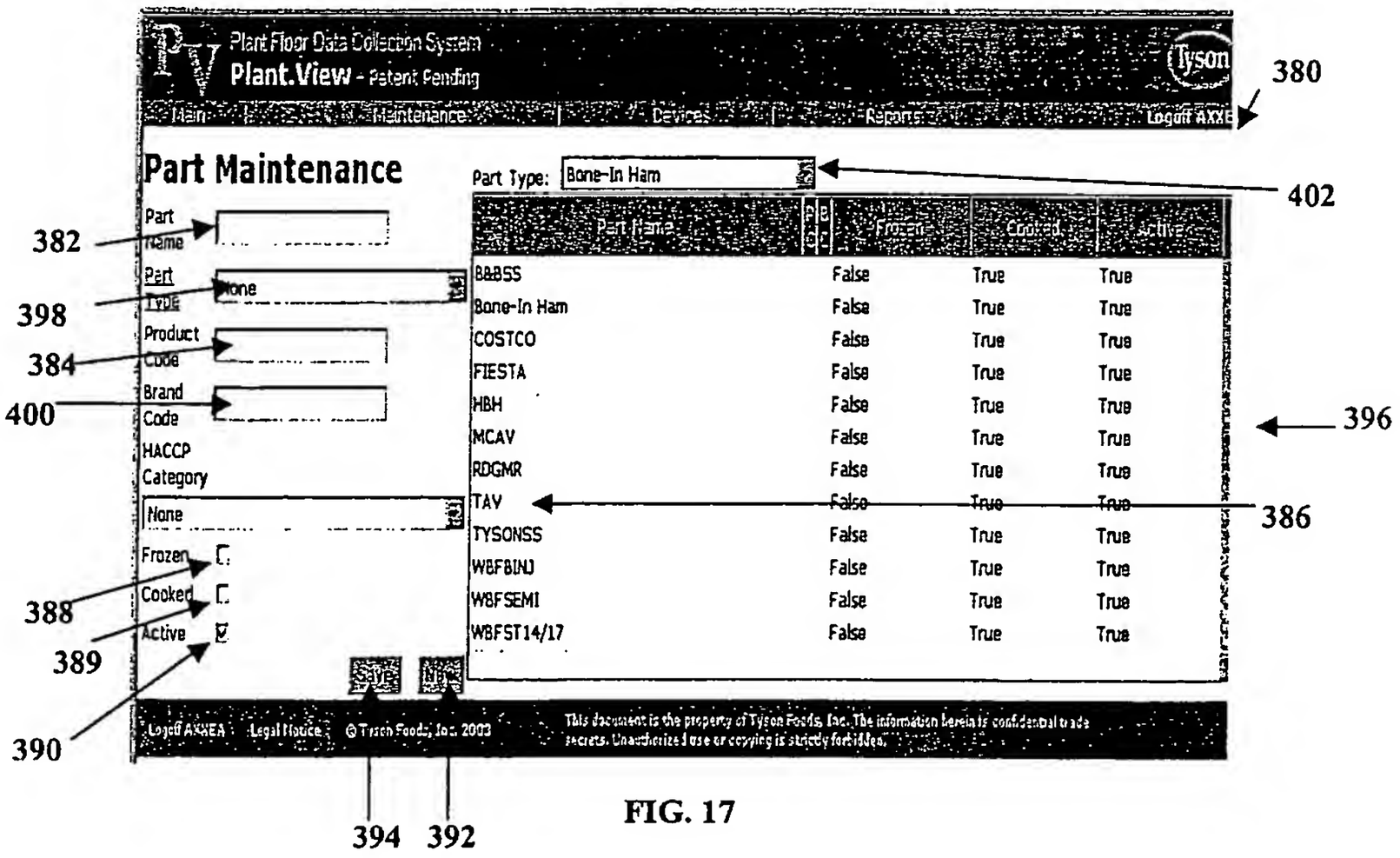
Plant Floor Data Collection System
Plant.View - Patent Pending
Tyson
Main
Maintenance
Devices
Reports
Logoff AXXE
Part Maintenance
Part Type: Bone-In Ham
Part Name
Part Type
Product Code
Brand Code
HACCP Category
None
Frozen
Cooked
Active
Part Name
Frozen
Cooked
Active
B&BSS False True True
Bone-In Ham False True True
COSTCO False True True
FIESTA False True True
HBH False True True
MCAV False True True
RDGMR False True True
TAV False True True
TYSONSS False True True
WBFBINJ False True True
WBFSEMI False True True
WBFST14/17 False True True
Save
Logoff AXXEA
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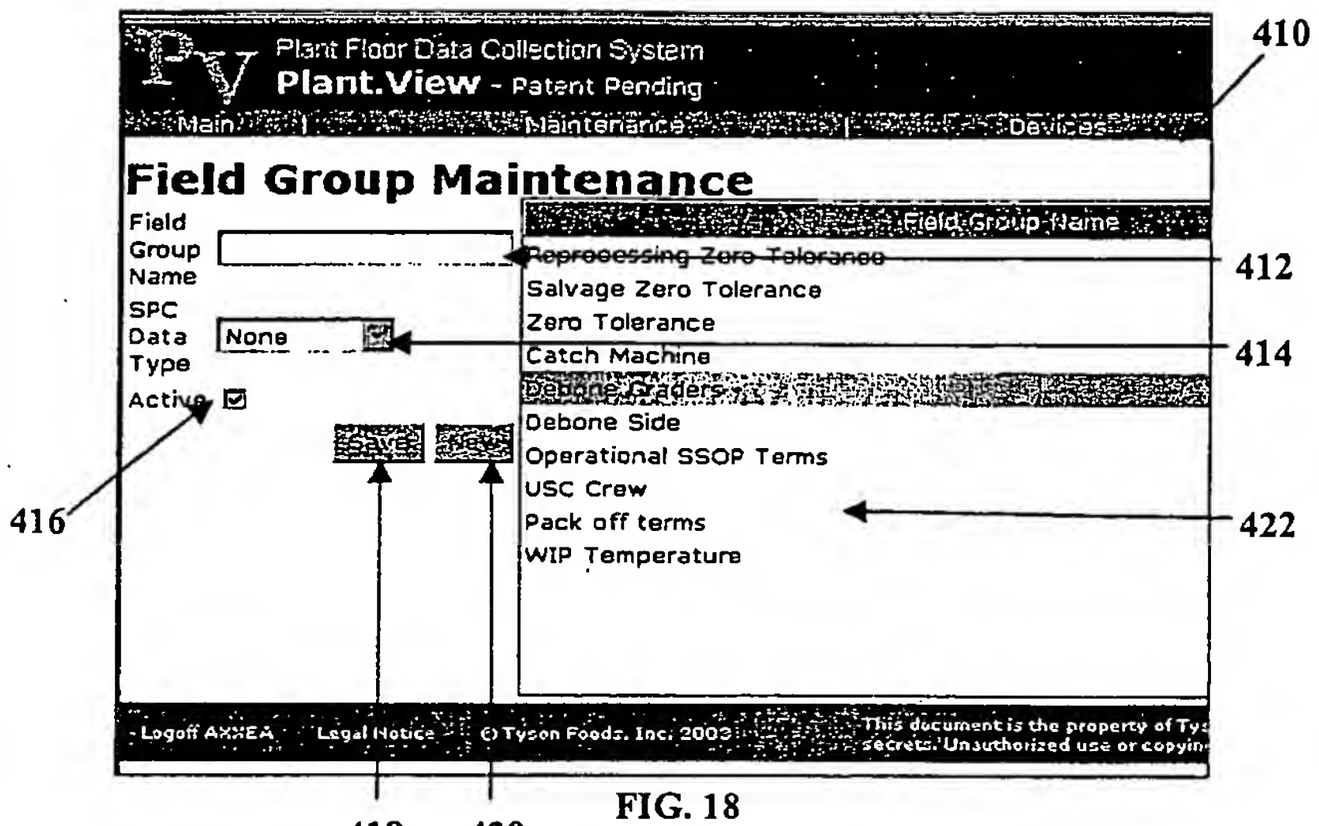
FIG. 17


Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Devices
Field Group Maintenance
Field Group Name
SPC Data Type
None
Active
Save
New
Field Group Name
Reprocessing Zero Tolerance
Salvage Zero Tolerance
Zero Tolerance
Catch Machine
Debone Graders
Debone Side
Operational SSOP Terms
USC Crew
Pack off terms
WIP Temperature
Logoff AXXEA
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secrets. Unauthorized use or copyin
410
412
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420
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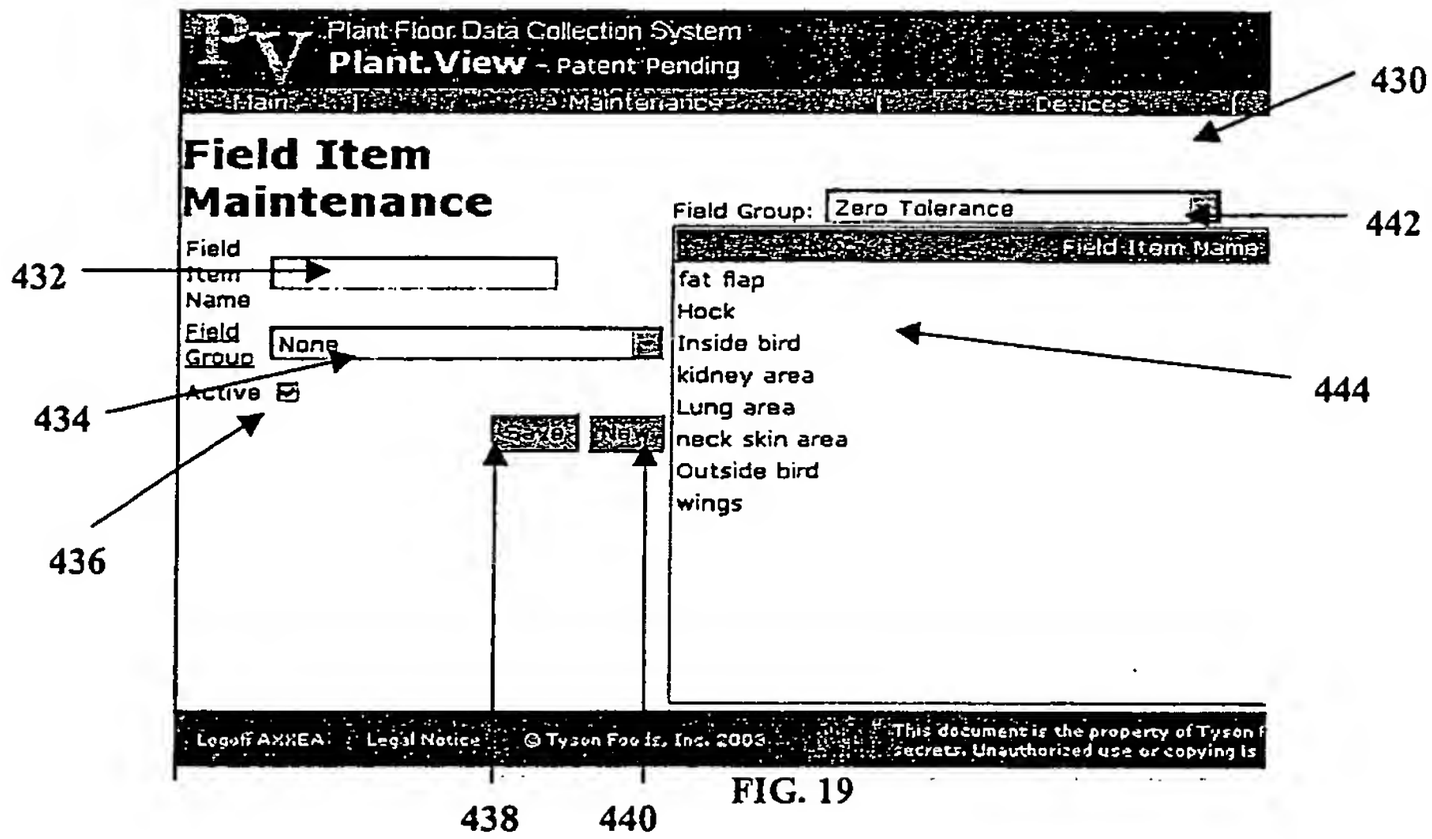
FIG. 18


Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Devices
Field Item Maintenance
Field Item Name
Field Group
None
Active
Save
New
Field Group: Zero Tolerance
Field Item Name
fat flap
Hock
Inside bird
kidney area
Lung area
neck skin area
Outside bird
wings
Logoff AXXEA
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442
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FIG. 19

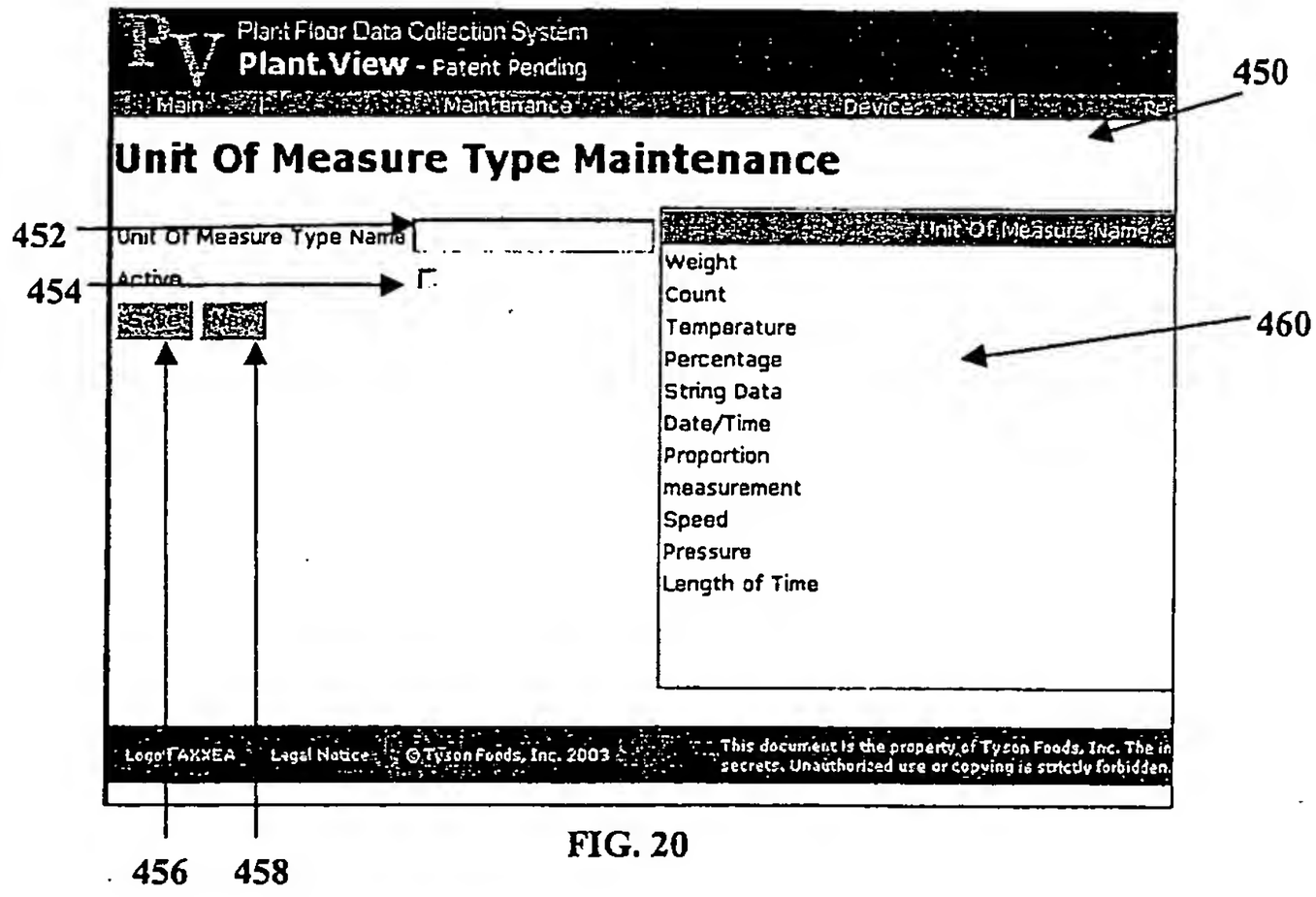
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Devices
450
Unit Of Measure Type Maintenance
452
Unit Of Measure Type Name
454
Active
Select
New
Unit Of Measure Name
Weight
Count
Temperature
Percentage
String Data
Date/Time
Proportion
measurement
Speed
Pressure
Length of Time
460
Logo TAXXEA
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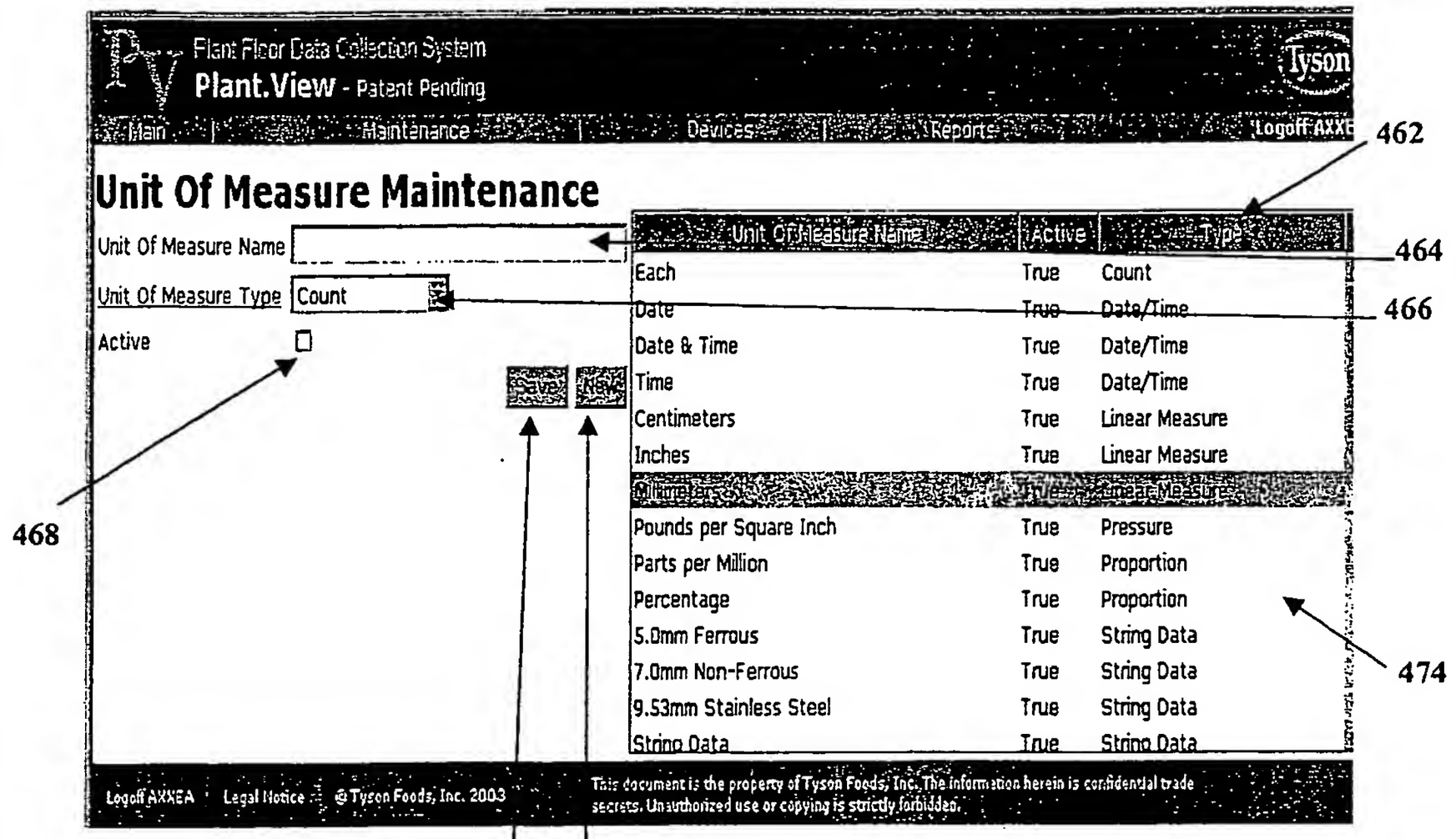
FIG. 20


Plant Floor Data Collection System
Plant.View - Patent Pending
Tyson
Main
Maintenance
Devices
Reports
Logoff AXXE
Unit Of Measure Maintenance
Unit Of Measure Name
Unit Of Measure Type
Count
Active
Save
New
Unit Of Measure Name
Active
Type
Each True Count
Date True Date/Time
Date & Time True Date/Time
Time True Date/Time
Centimeters True Linear Measure
Inches True Linear Measure
Millimeters True Linear Measure
Pounds per Square Inch True Pressure
Parts per Million True Proportion
Percentage True Proportion
5.0mm Ferrous True String Data
7.0mm Non-Ferrous True String Data
9.53mm Stainless Steel True String Data
String Data True String Data
Logoff AXXEA
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464
466
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472
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FIG. 21

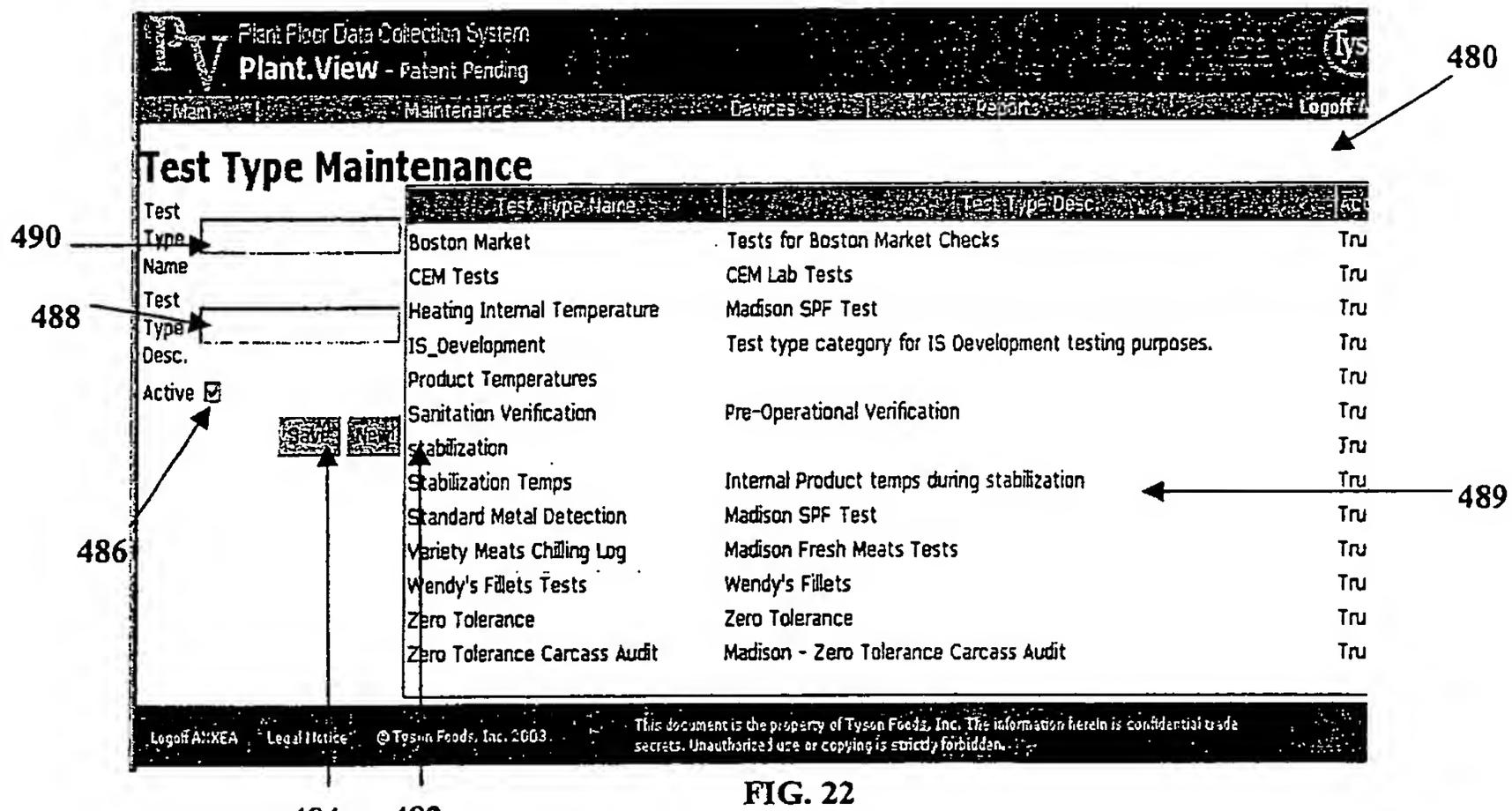
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Devices
Reports
Logoff
Test Type Maintenance
Test Type Name
Test Type Desc
Test Type
Name
Test Type Desc.
Active
Save
New
Boston Market Tests for Boston Market Checks Tru
CEM Tests CEM Lab Tests Tru
Heating Internal Temperature Madison SPF Test Tru
IS_Development Test type category for IS Development testing purposes. Tru
Product Temperatures Tru
Sanitation Verification Pre-Operational Verification Tru
stabilization Tru
Stabilization Temps Internal Product temps during stabilization Tru
Standard Metal Detection Madison SPF Test Tru
Variety Meats Chilling Log Madison Fresh Meats Tests Tru
Wendy's Fillets Tests Wendy's Fillets Tru
Zero Tolerance Zero Tolerance Tru
Zero Tolerance Carcass Audit Madison - Zero Tolerance Carcass Audit Tru
Logoff AXXEA
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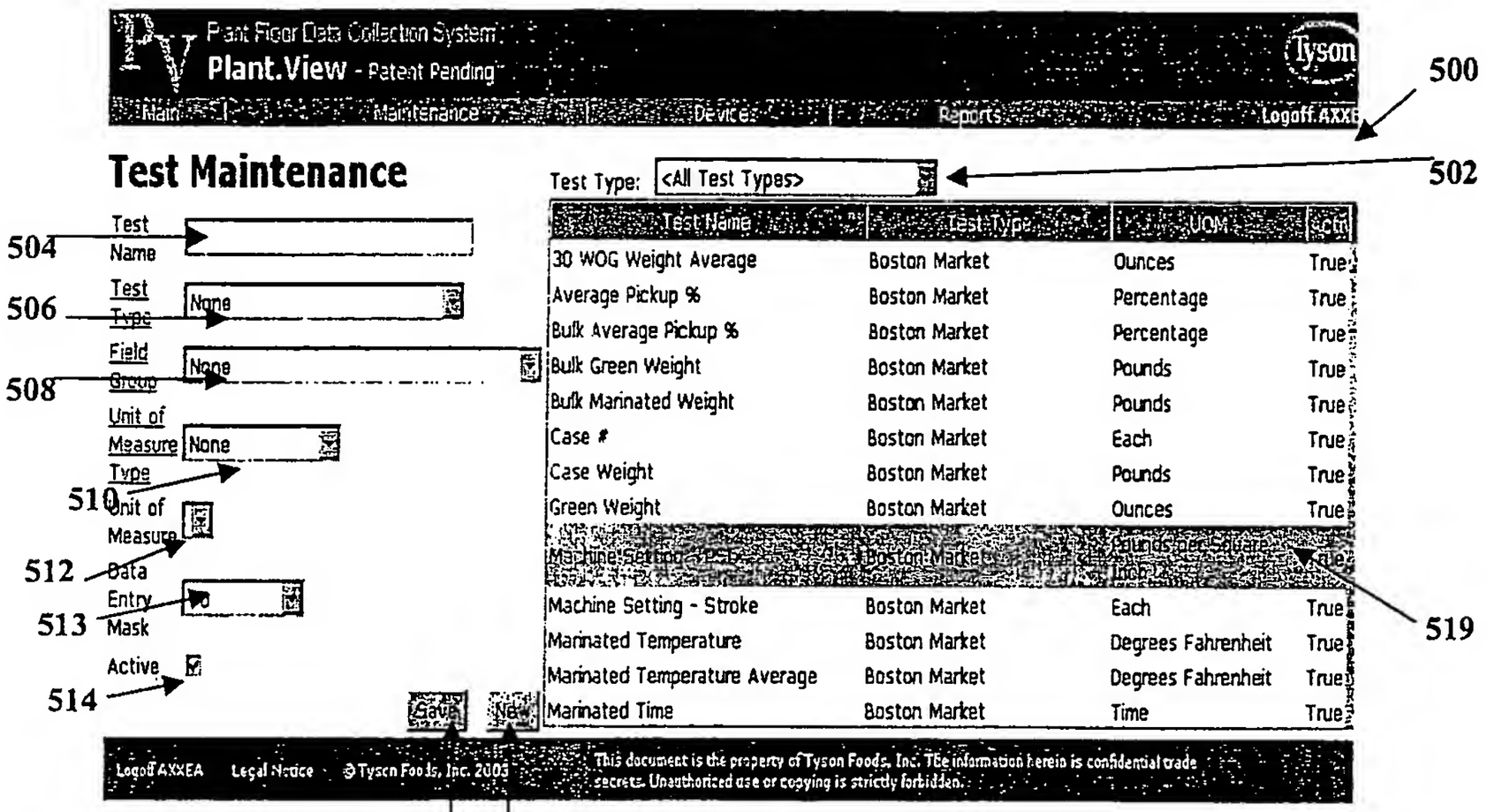
FIG. 22


Plant Floor Data Collection System
Plant.View - Patent Pending
Tyson
Main
Maintenance
Devices
Reports
Logoff AXXE
500
Test Maintenance
Test Type: <All Test Types>
502
Test Name
504
Test Type
506
None
Field Group
508
None
Unit of Measure Type
510
None
Unit of Measure
512
Data Entry Mask
513
Active
514
Test Name | Test Type | UOM | Actv
30 WOG Weight Average | Boston Market | Ounces | True
Average Pickup % | Boston Market | Percentage | True
Bulk Average Pickup % | Boston Market | Percentage | True
Bulk Green Weight | Boston Market | Pounds | True
Bulk Marinated Weight | Boston Market | Pounds | True
Case # | Boston Market | Each | True
Case Weight | Boston Market | Pounds | True
Green Weight | Boston Market | Ounces | True
Machine Setting - Speed | Boston Market | Pounds per Square Inch | True
Machine Setting - Stroke | Boston Market | Each | True
Marinated Temperature | Boston Market | Degrees Fahrenheit | True
Marinated Temperature Average | Boston Market | Degrees Fahrenheit | True
Marinated Time | Boston Market | Time | True
519
Save
New
Logoff AXXEA
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516
518

FIG. 23

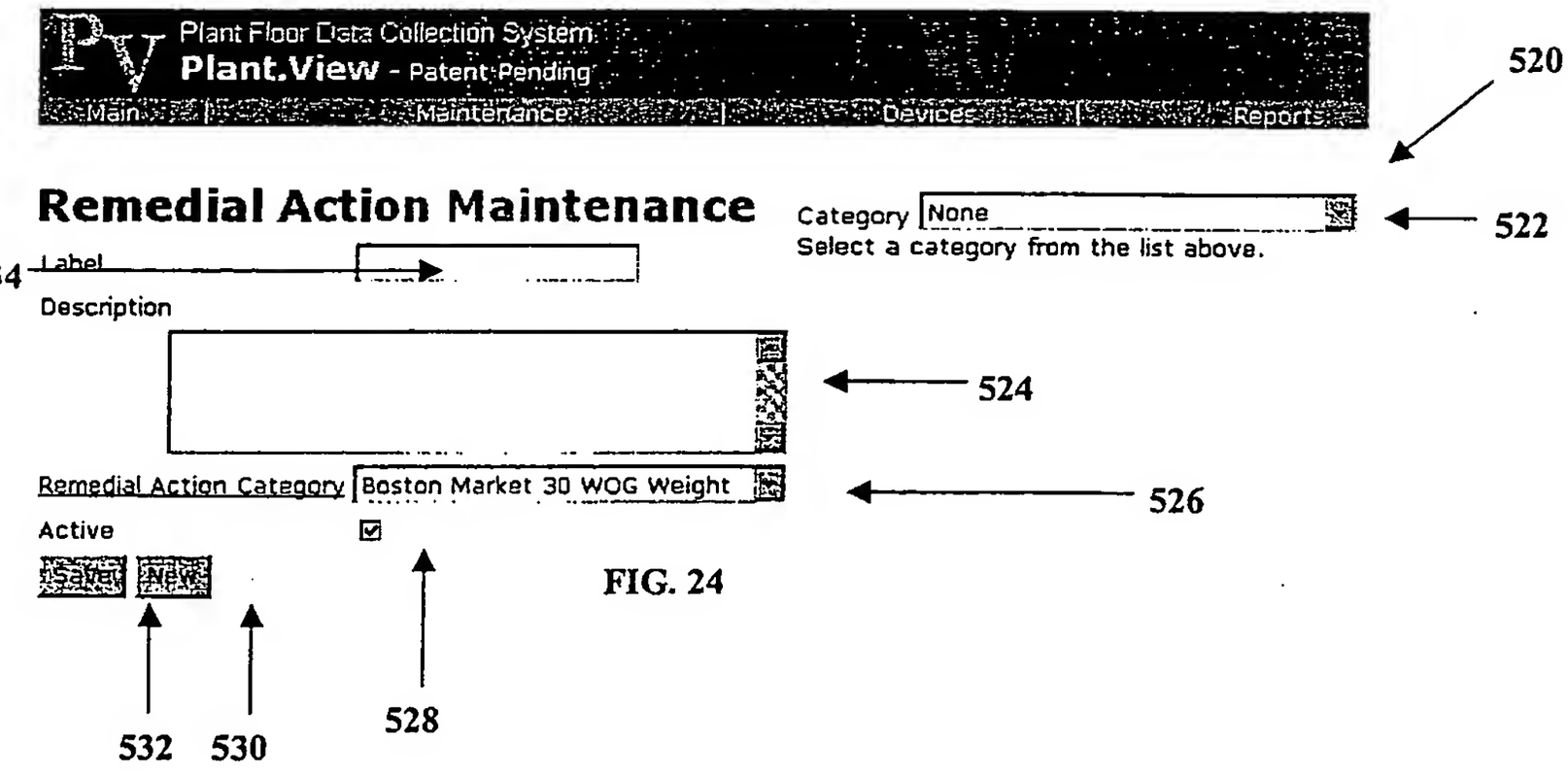
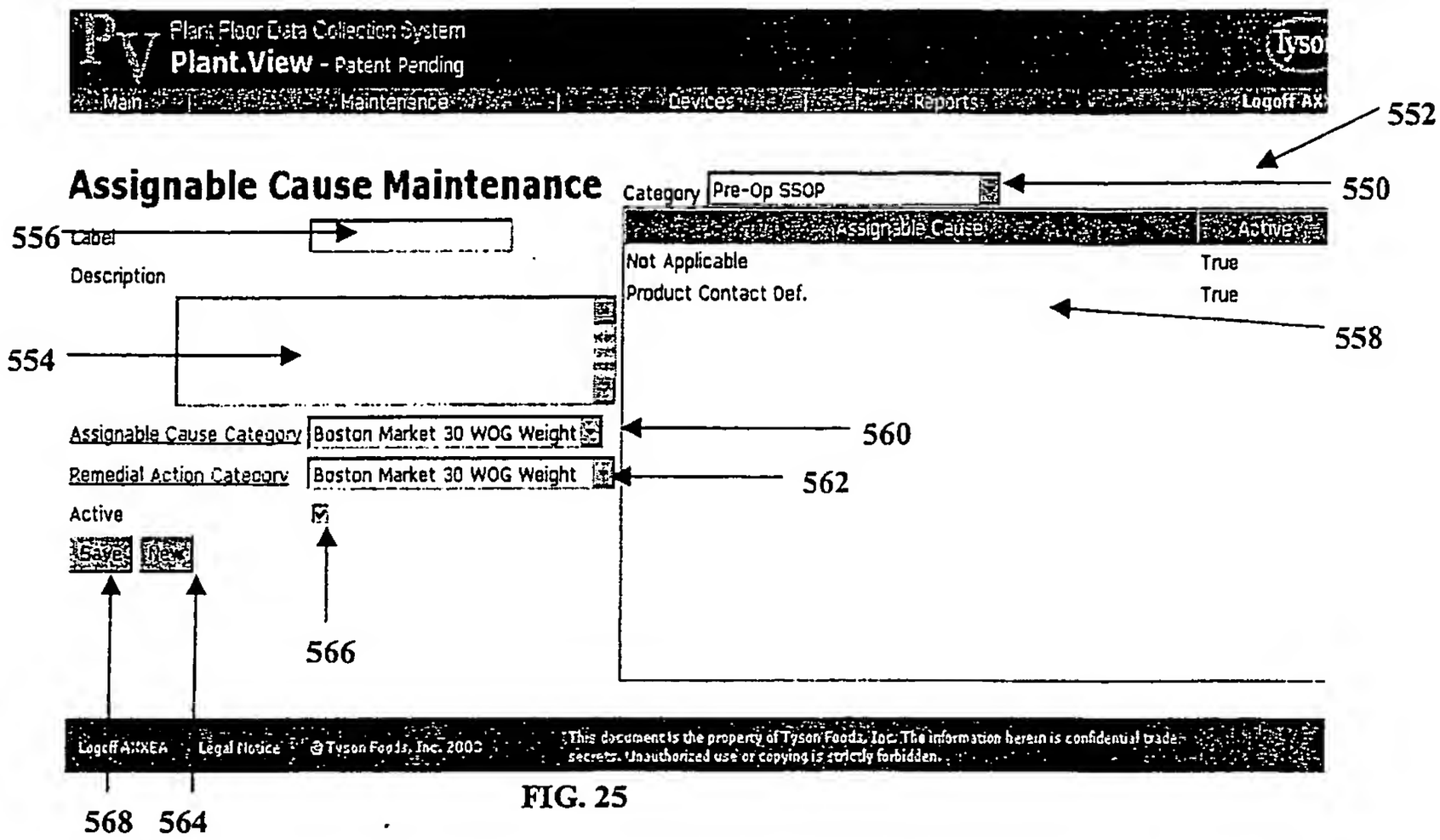

Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Devices
Reports
520
Remedial Action Maintenance
Category None
522
Select a category from the list above.
534
Label
Description
524
Remedial Action Category Boston Market 30 WOG Weight
526
Active
Save
New
532
530
528

FIG. 24


Plant Floor Data Collection System
Plant.View - Patent Pending
Main | Maintenance | Devices | Reports | Logoff AX
Assignable Cause Maintenance
Category Pre-Op SSOP
Assignable Cause
Active
Not Applicable
True
Product Contact Def.
True
Label
Description
Assignable Cause Category Boston Market 30 WOG Weight
Remedial Action Category Boston Market 30 WOG Weight
Active
Save
New
Logoff AXXEA
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558

FIG. 25

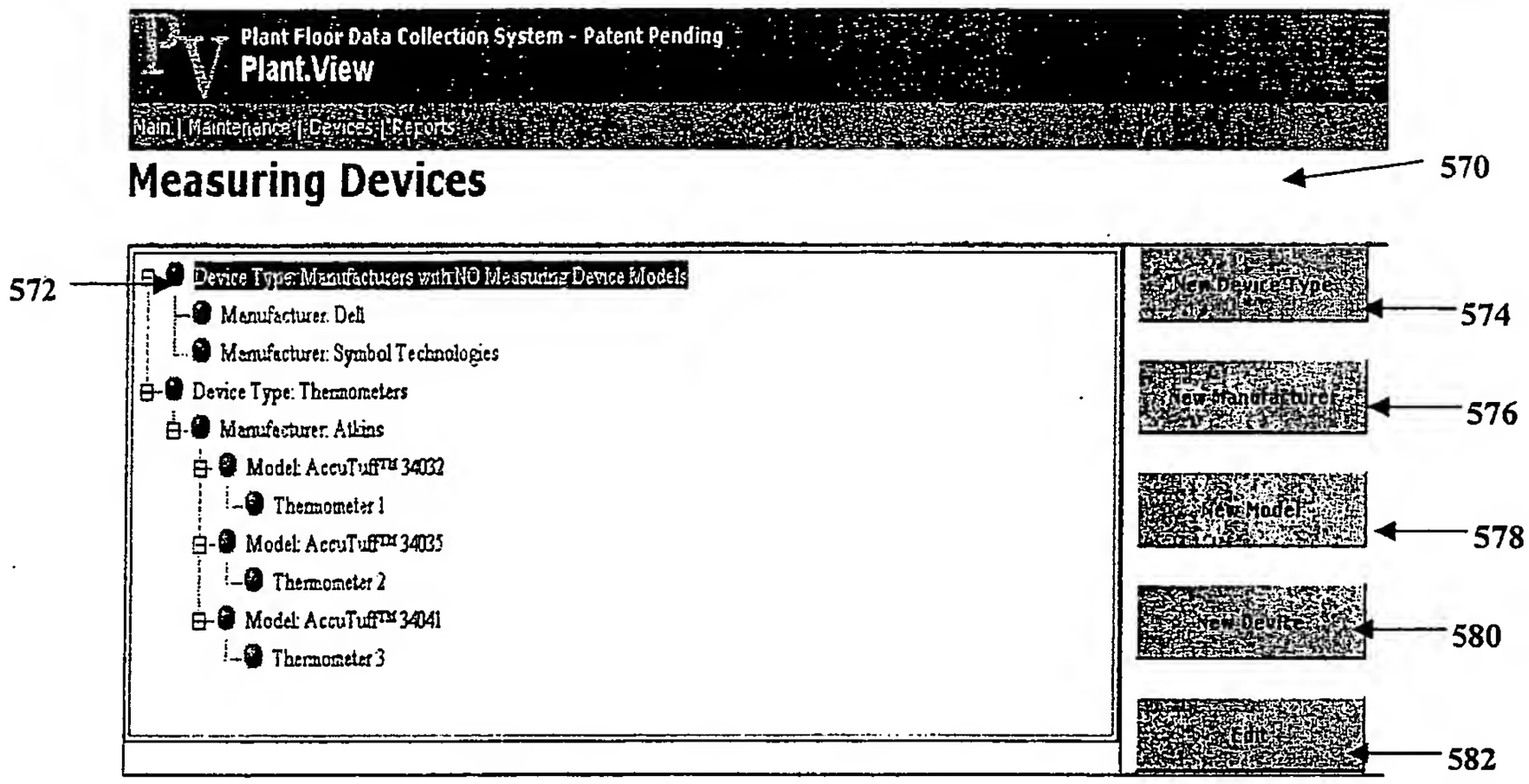
Plant Floor Data Collection System - Patent Pending
Plant.View
Main | Maintenance | Devices | Reports
Measuring Devices
Device Type: Manufacturers with NO Measuring Device Models
Manufacturer: Dell
Manufacturer: Symbol Technologies
Device Type: Thermometers
Manufacturer: Atkins
Model: AccuTuff™ 34032
Thermometer 1
Model: AccuTuff™ 34035
Thermometer 2
Model: AccuTuff™ 34041
Thermometer 3
New Device Type
New Manufacturer
New Model
New Device
Edit
570
572
574
576
578
580
582

FIG. 26

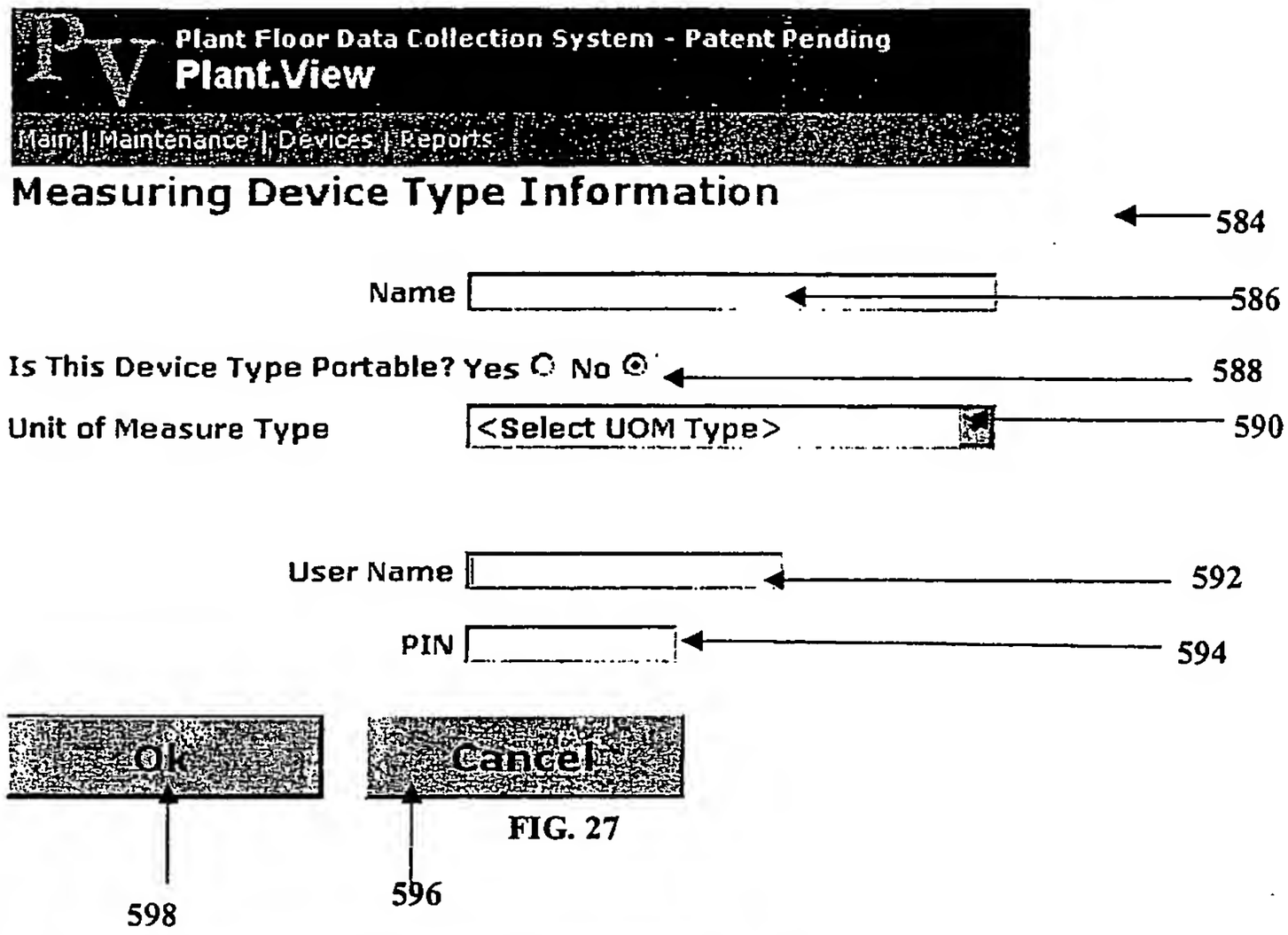
Plant Floor Data Collection System - Patent Pending
Plant.View
Main | Maintenance | Devices | Reports
Measuring Device Type Information
584
Name
586
Is This Device Type Portable? Yes No
588
Unit of Measure Type
<Select UOM Type>
590
User Name
592
PIN
594
Ok
Cancel
598
596

FIG. 27

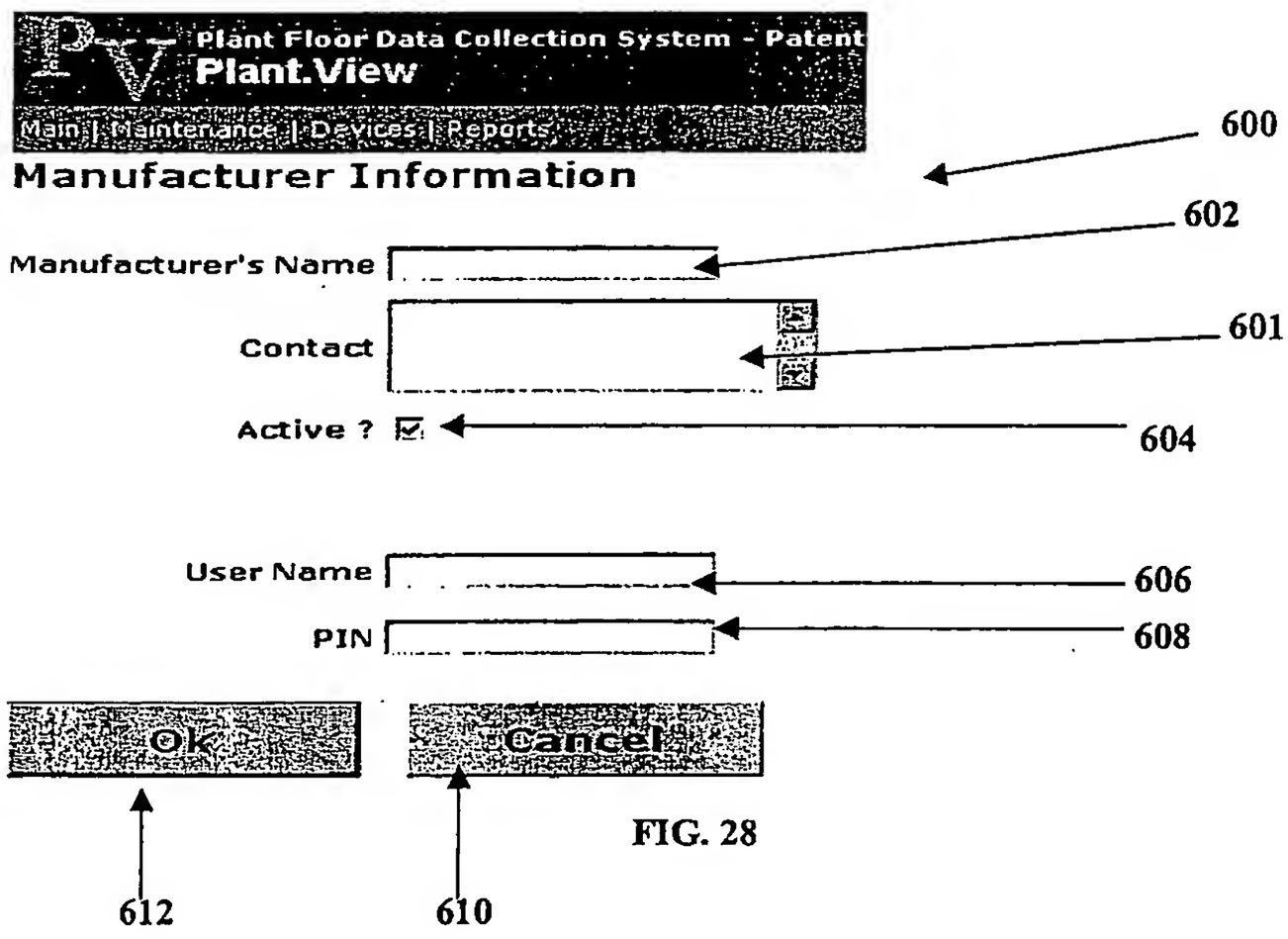
Plant Floor Data Collection System - Patent
Plant.View
Main | Maintenance | Devices | Reports
Manufacturer Information
600
602
Manufacturer's Name
Contact
601
Active ?
604
User Name
606
PIN
608
Ok
cancel
612
610

FIG. 28

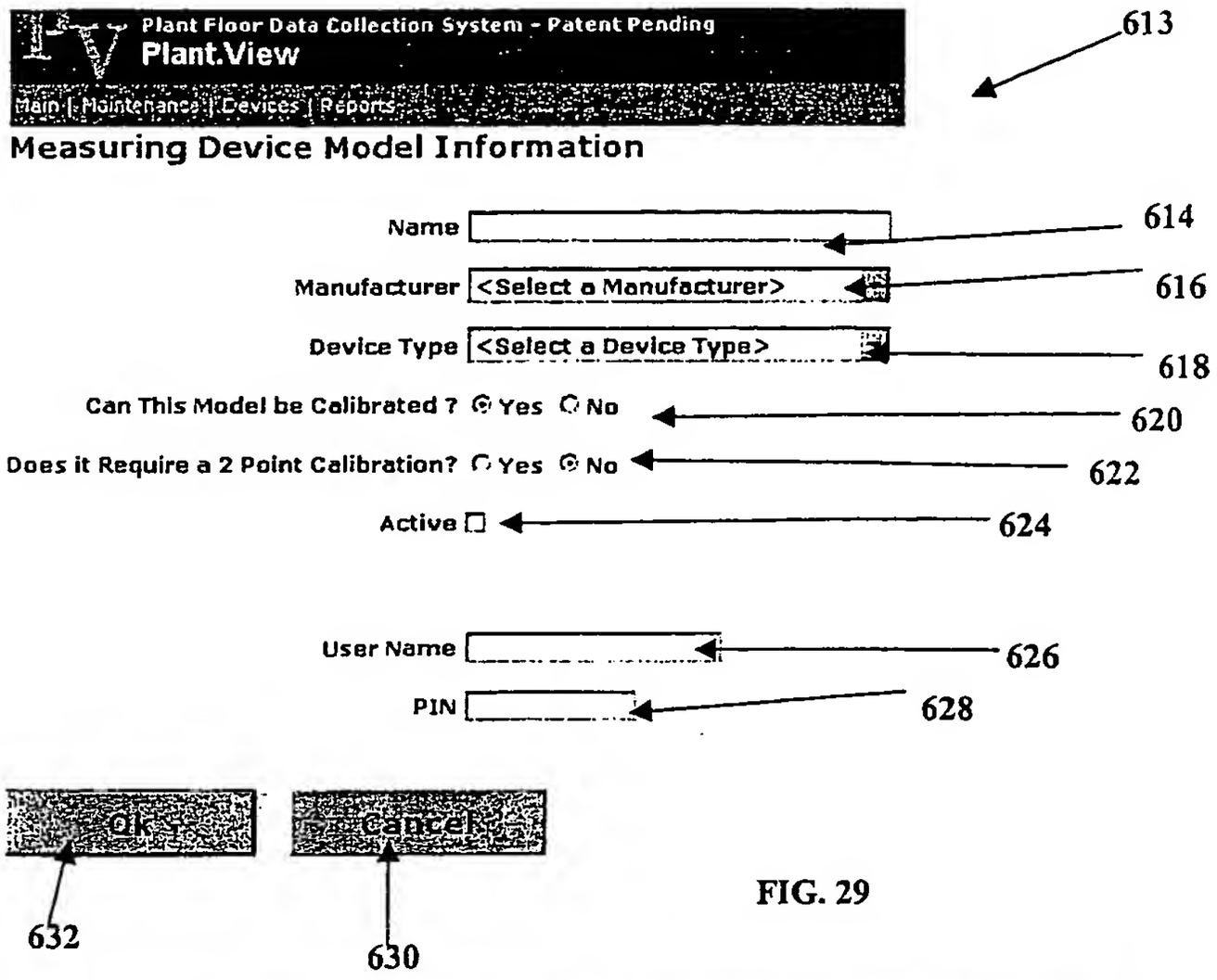
Plant Floor Data Collection System - Patent Pending
Plant.View
Main | Maintenance | Devices | Reports
613
Measuring Device Model Information
Name
614
Manufacturer
<Select a Manufacturer>
616
Device Type
<Select a Device Type>
618
Can This Model be Calibrated ? Yes No
620
Does it Require a 2 Point Calibration? Yes No
622
Active
624
User Name
626
PIN
628
Ok
Cancel
632
630

FIG. 29

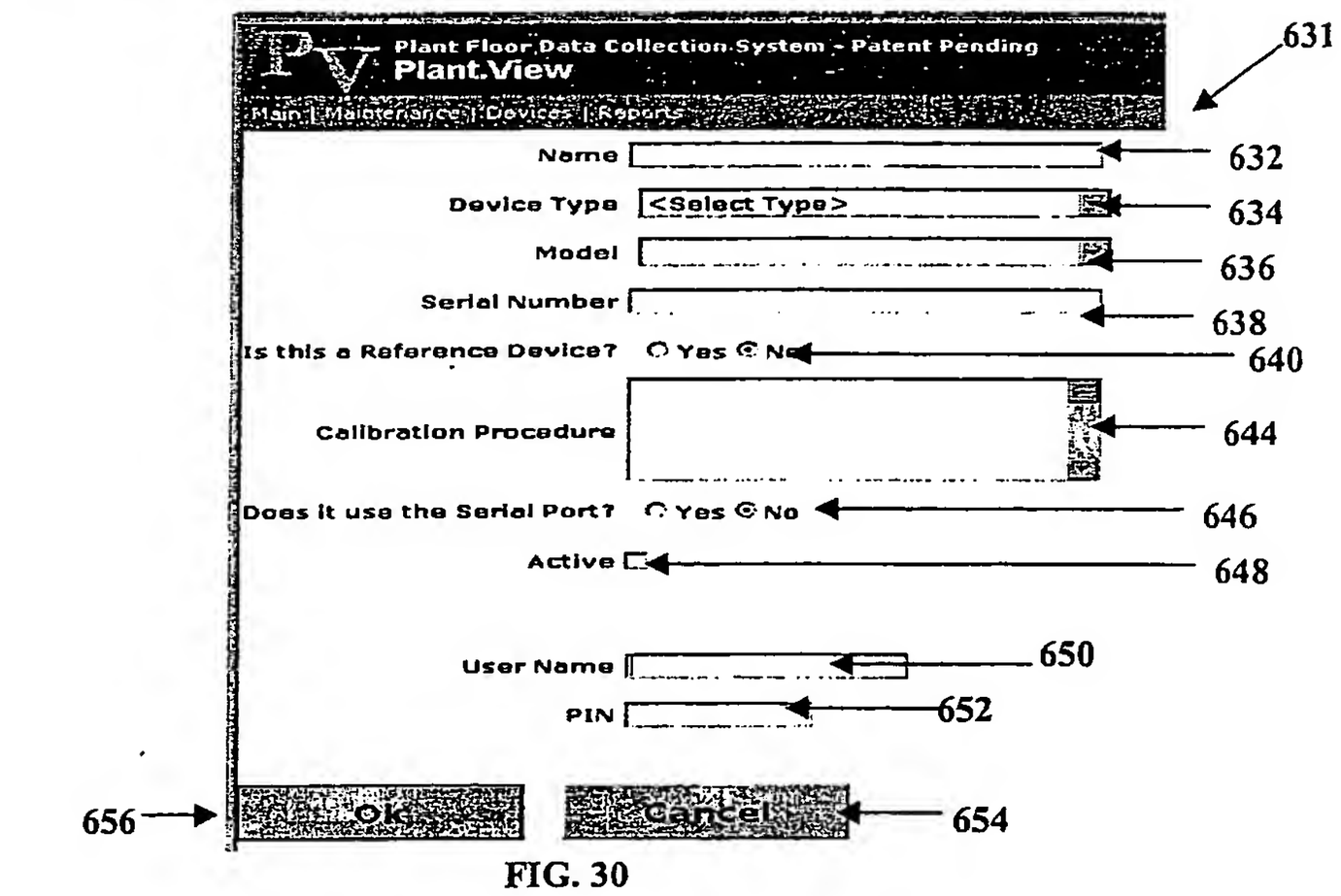
Plant Floor Data Collection System - Patent Pending
Plant.View
Main | Maintenances | Devices | Reports
631
Name
632
Device Type
<Select Type>
634
Model
636
Serial Number
638
Is this a Reference Device? Yes No
640
Calibration Procedure
644
Does it use the Serial Port? Yes No
646
Active
648
User Name
650
PIN
652
656
Ok
Cancel
654

FIG. 30

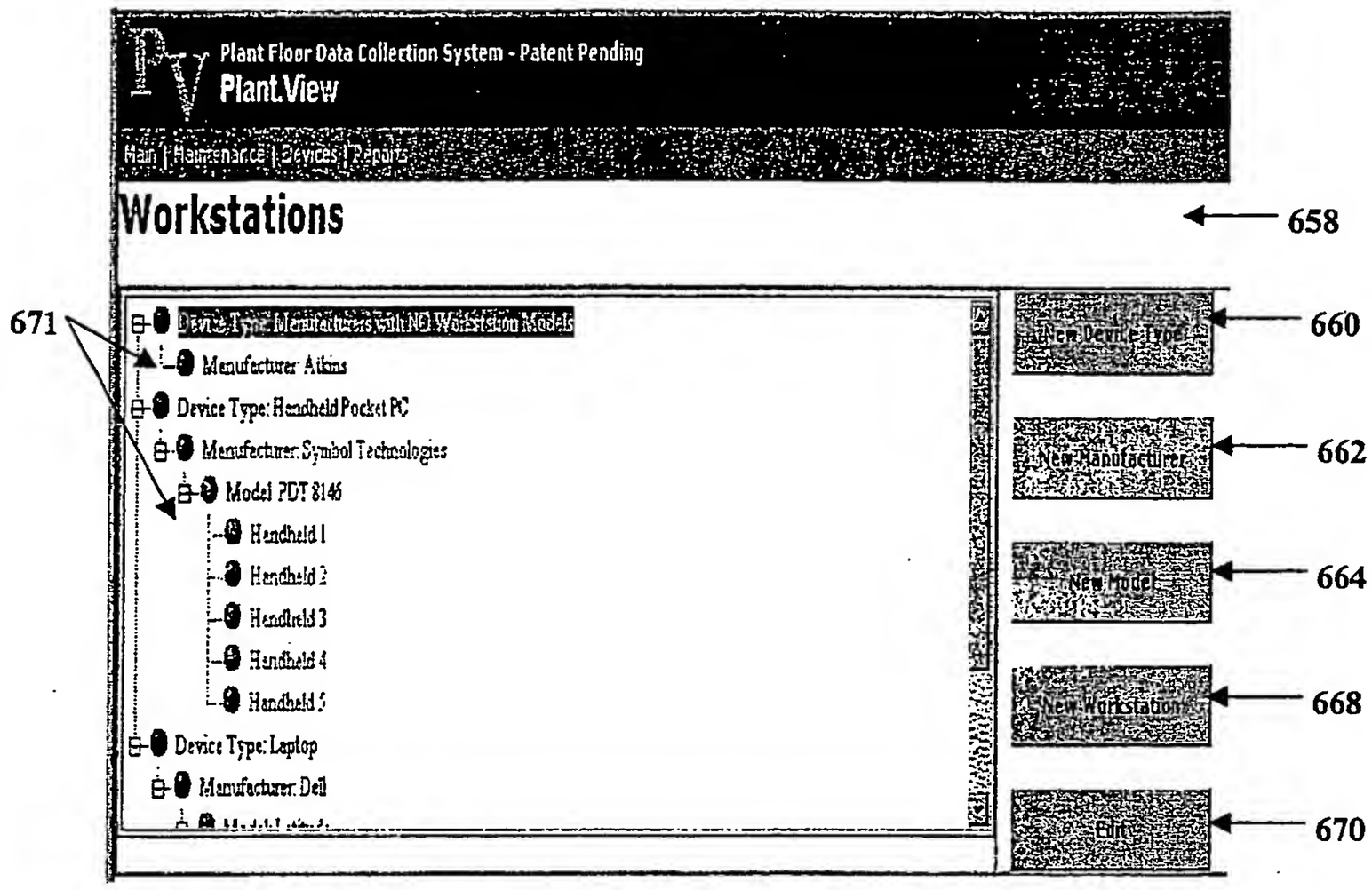
Plant Floor Data Collection System - Patent Pending
Plant.View
Main | Maintenance | Devices | Reports
Workstations
658
671
Device Type: Manufacturers With NO Workstation Models
Manufacturer: Atkins
Device Type: Handheld Pocket PC
Manufacturer: Symbol Technologies
Model PDT 8146
Handheld 1
Handheld 2
Handheld 3
Handheld 4
Handheld 5
Device Type: Laptop
Manufacturer: Dell
New Device Type
660
New Manufacturer
662
New Model
664
New Workstation
668
Edit
670

FIG. 31

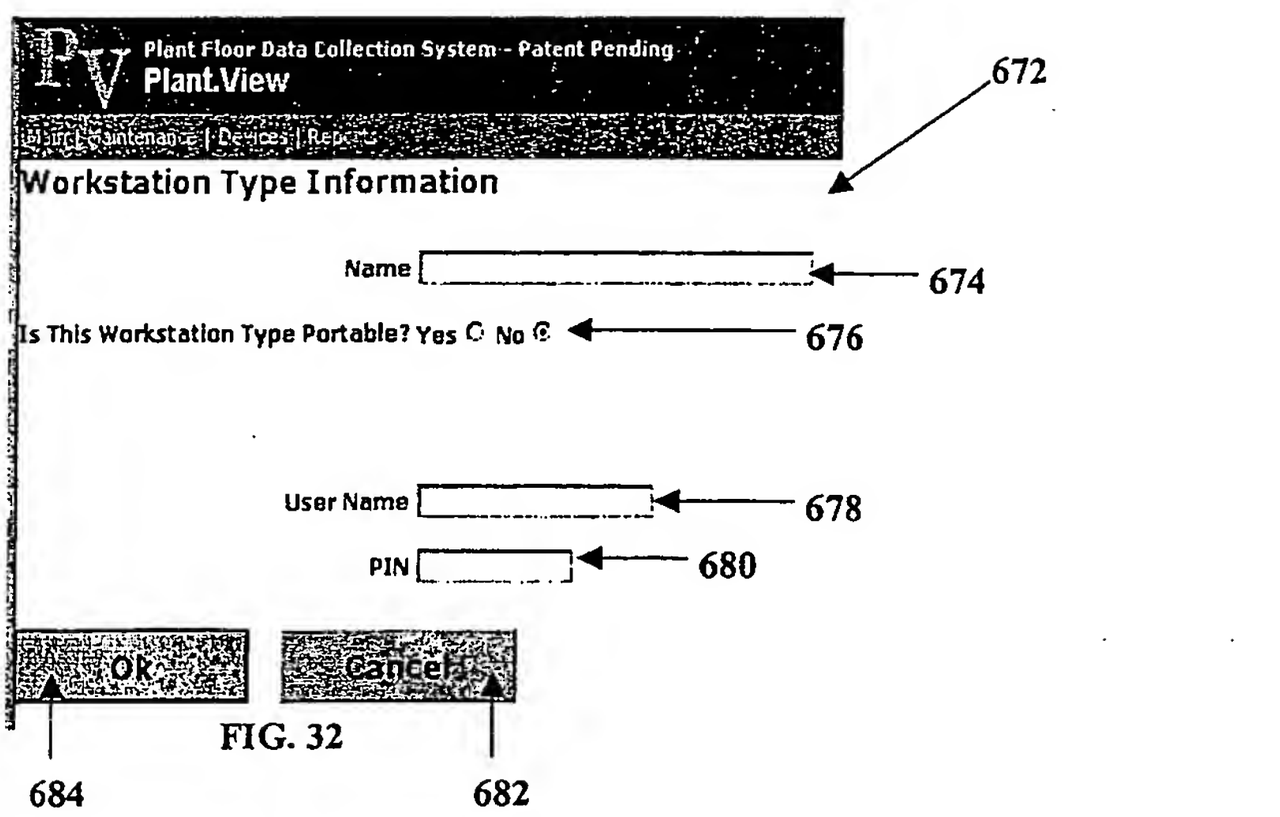
Plant Floor Data Collection System - Patent Pending
Plant.View
Workstation Type Information
672
Name
674
Is This Workstation Type Portable? Yes No
676
User Name
678
PIN
680
OK
Cancel
684
682

FIG. 32

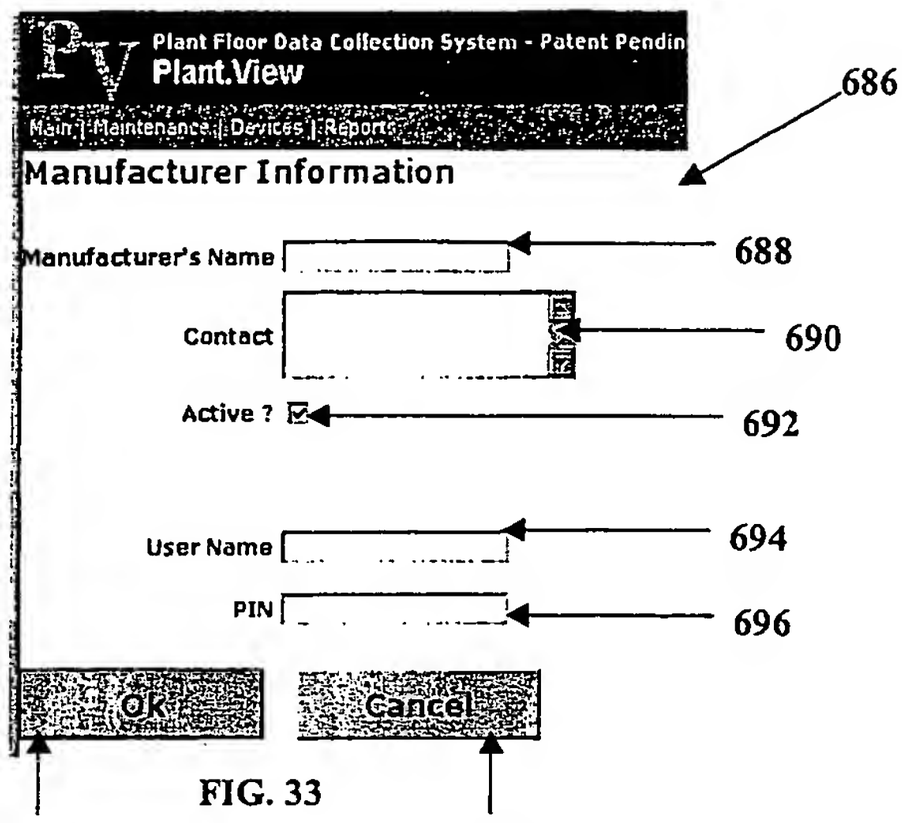
Plant Floor Data Collection System - Patent Pendin
Plant.View
Main | Maintenance | Devices | Reports
Manufacturer Information
686
Manufacturer's Name
688
Contact
690
Active ?
692
User Name
694
PIN
696
Ok
Cancel
700
698

FIG. 33

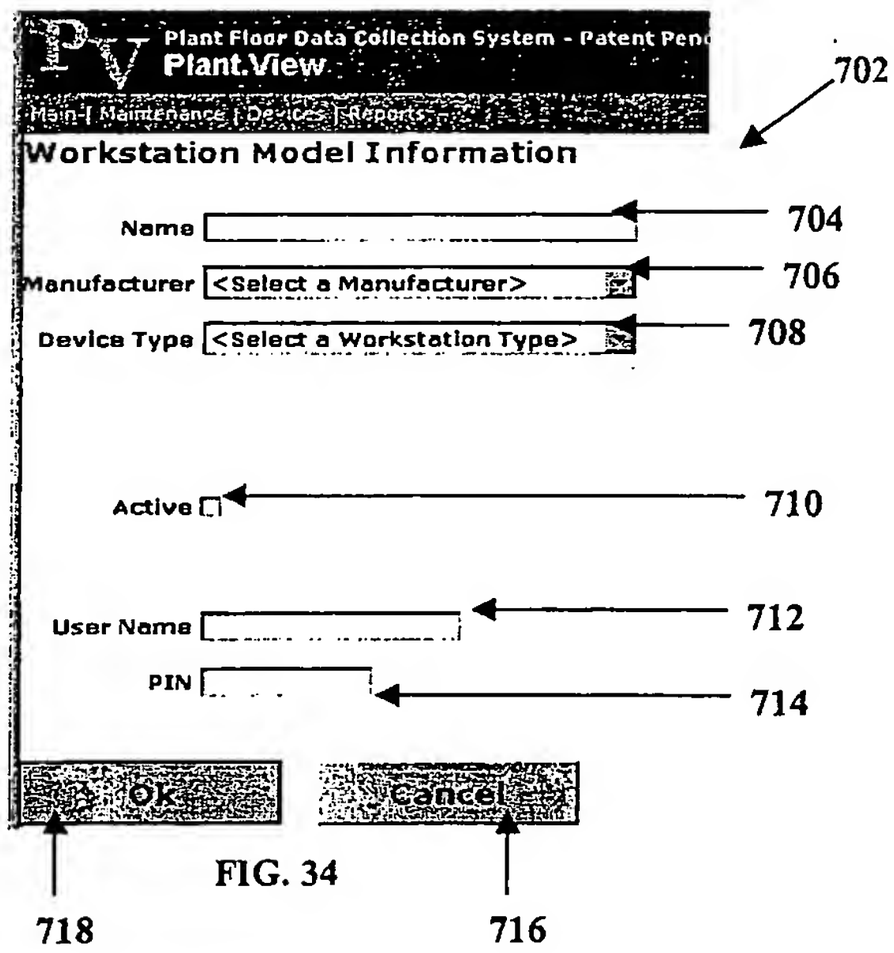
Plant Floor Data Collection System - Patent Pend
Plant.View
Main | Maintenance | Devices | Reports
Workstation Model Information
702
Name
704
Manufacturer
<Select a Manufacturer>
706
Device Type
<Select a Workstation Type>
708
Active
710
User Name
712
PIN
714
Ok
Cancel
718
716

FIG. 34

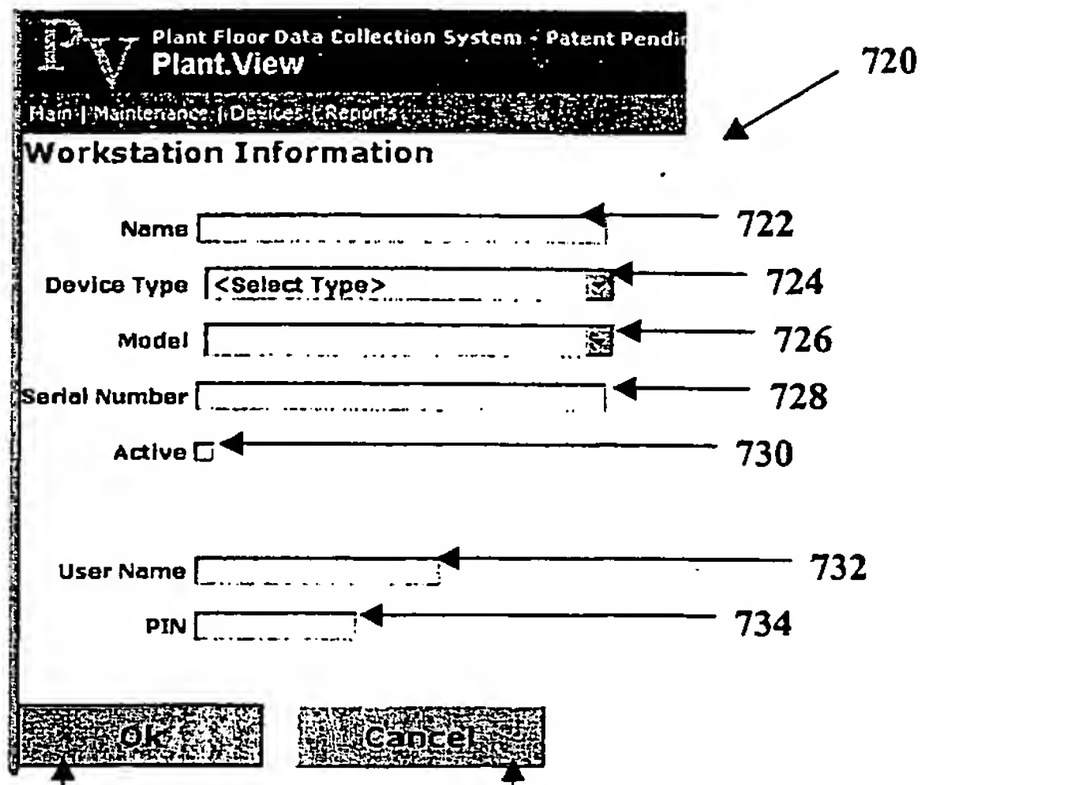
Plant Floor Data Collection System - Patent Pendi
Plant.View
Main | Maintenance | Devices | Reports
Workstation Information
Name
Device Type
<Select Type>
Model
Serial Number
Active
User Name
PIN
ok
Cancel
720
722
724
726
728
730
732
734
736
738

FIG. 35

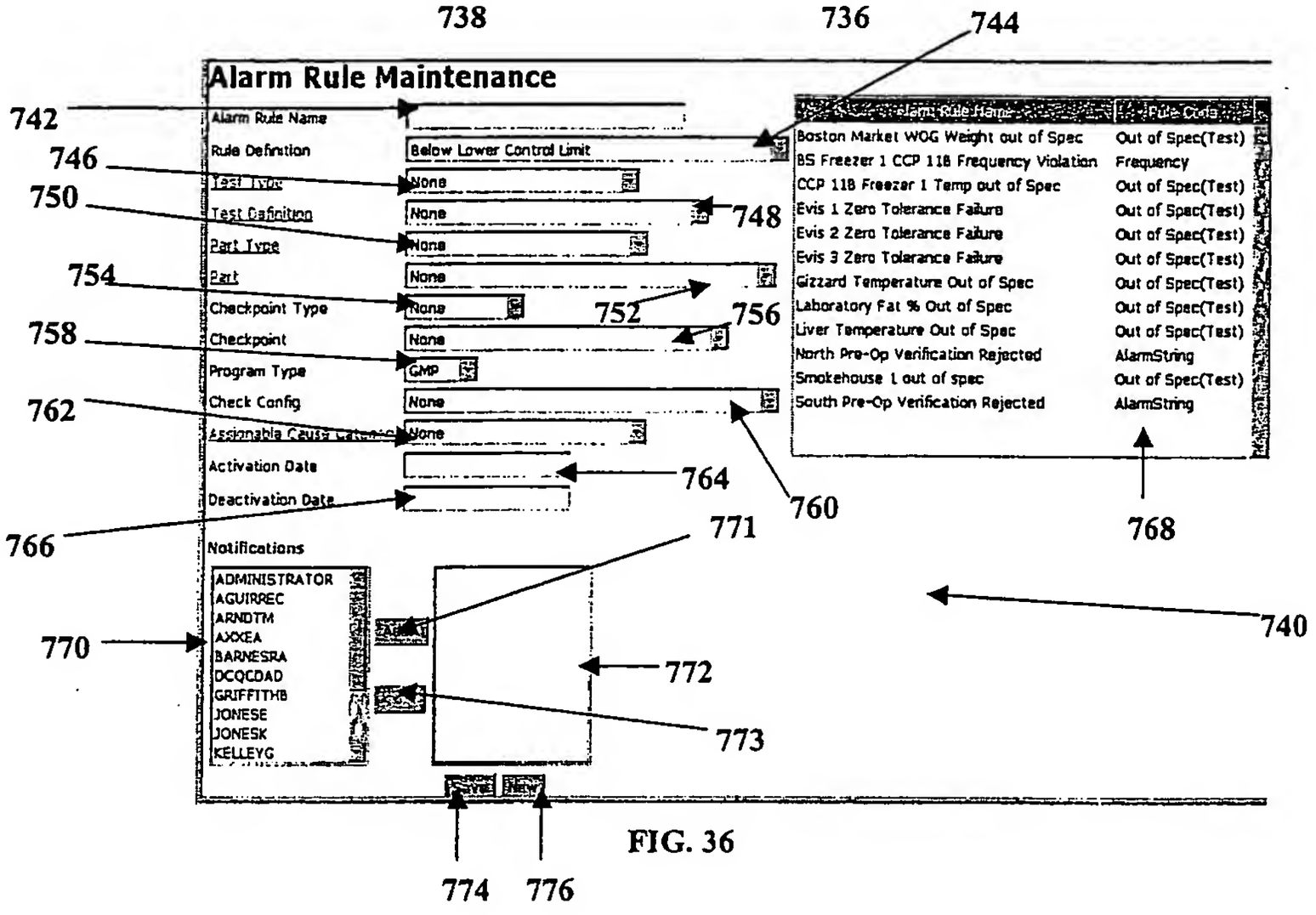
Alarm Rule Maintenance
Alarm Rule Name
Rule Definition
Below Lower Control Limit
Test Type
Test Definition
Part Type
Part
Checkpoint Type
Checkpoint
Program Type
GMP
Check Config
Assignable Cause
Activation Date
Deactivation Date
Notifications
ADMINISTRATOR
AGUIRREC
ARNDTM
AXXEA
BARNESRA
DCQCDAD
GRIFFITHB
JONESE
JONESK
KELLEYG
Alarm Rule Name
Rule Code
Boston Market WOG Weight out of Spec
Out of Spec(Test)
BS Freezer 1 CCP 118 Frequency Violation
Frequency
CCP 118 Freezer 1 Temp out of Spec
Out of Spec(Test)
Evis 1 Zero Tolerance Failure
Out of Spec(Test)
Evis 2 Zero Tolerance Failure
Out of Spec(Test)
Evis 3 Zero Tolerance Failure
Out of Spec(Test)
Gizzard Temperature Out of Spec
Out of Spec(Test)
Laboratory Fat % Out of Spec
Out of Spec(Test)
Liver Temperature Out of Spec
Out of Spec(Test)
North Pre-Op Verification Rejected
AlarmString
Smokehouse 1 out of spec
Out of Spec(Test)
South Pre-Op Verification Rejected
AlarmString
740
742
744
746
748
750
752
754
756
758
760
762
764
766
768
770
771
772
773
774
776

FIG. 36

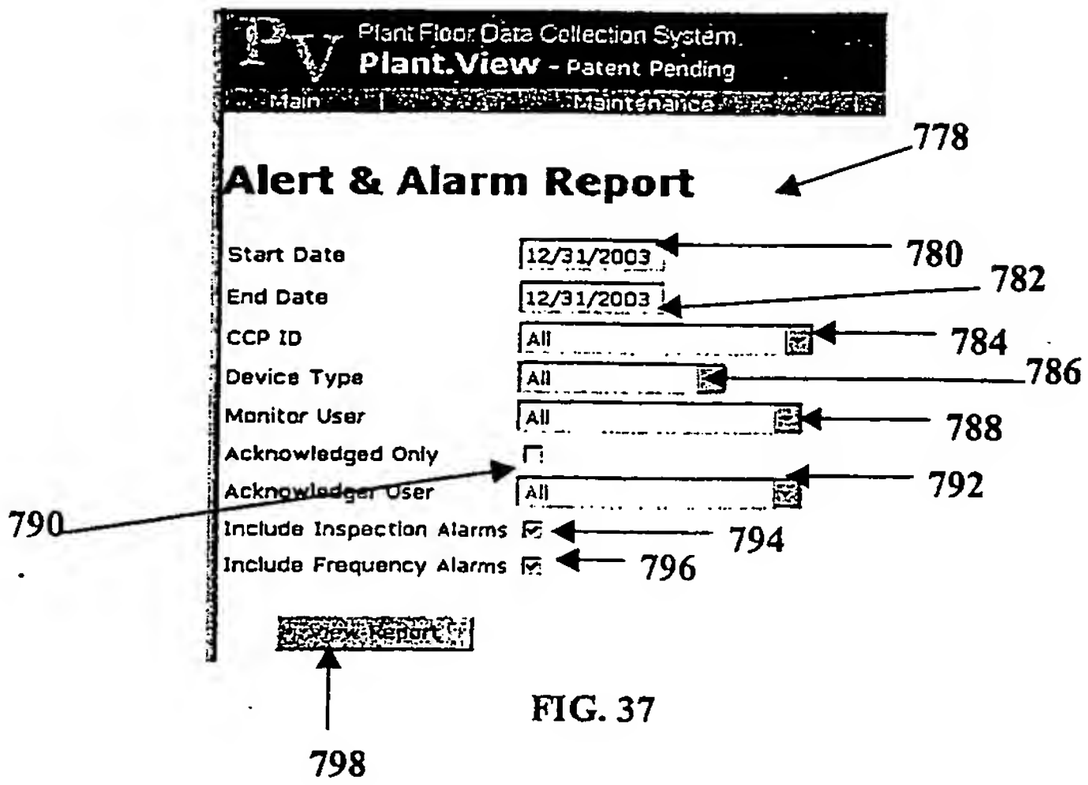
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
778
Alert & Alarm Report
Start Date
12/31/2003
780
End Date
12/31/2003
782
CCP ID
All
784
Device Type
All
786
Monitor User
All
788
Acknowledged Only
Acknowledger User
All
792
790
Include Inspection Alarms
794
Include Frequency Alarms
796
798

FIG. 37

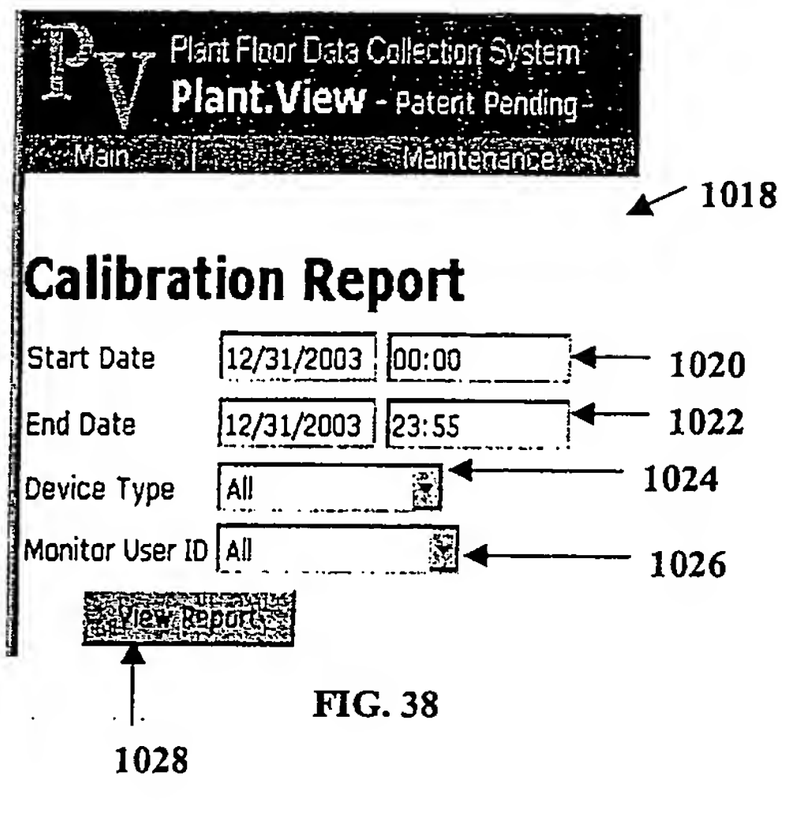
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
1018
Calibration Report
Start Date
12/31/2003
00:00
1020
End Date
12/31/2003
23:55
1022
Device Type
All
1024
Monitor User ID
All
1026
View Report
1028

FIG. 38

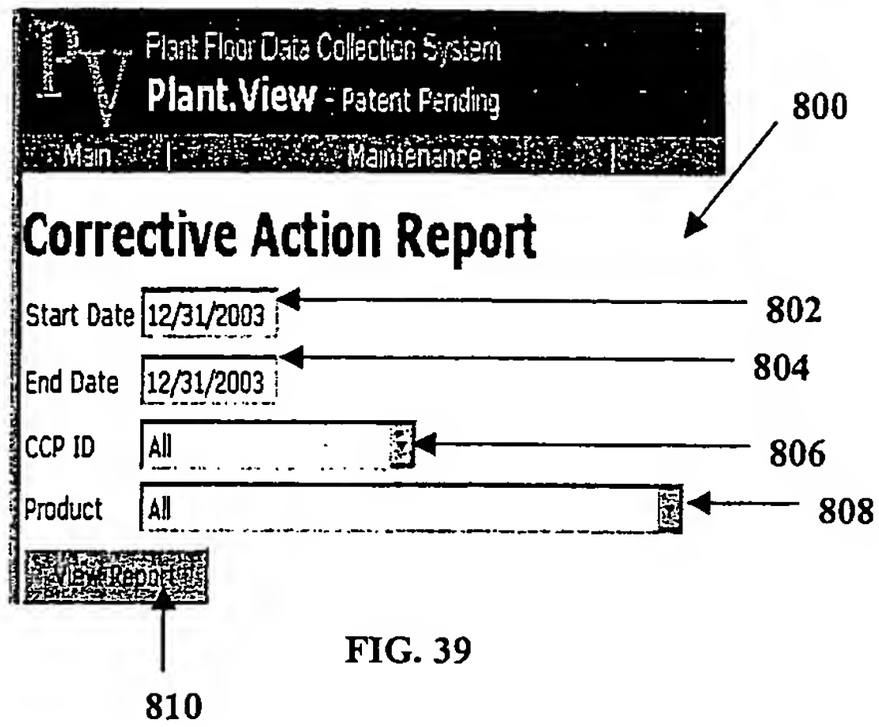
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
800
Corrective Action Report
Start Date 12/31/2003
802
End Date 12/31/2003
804
CCP ID All
806
Product All
808
View Report
810

FIG. 39

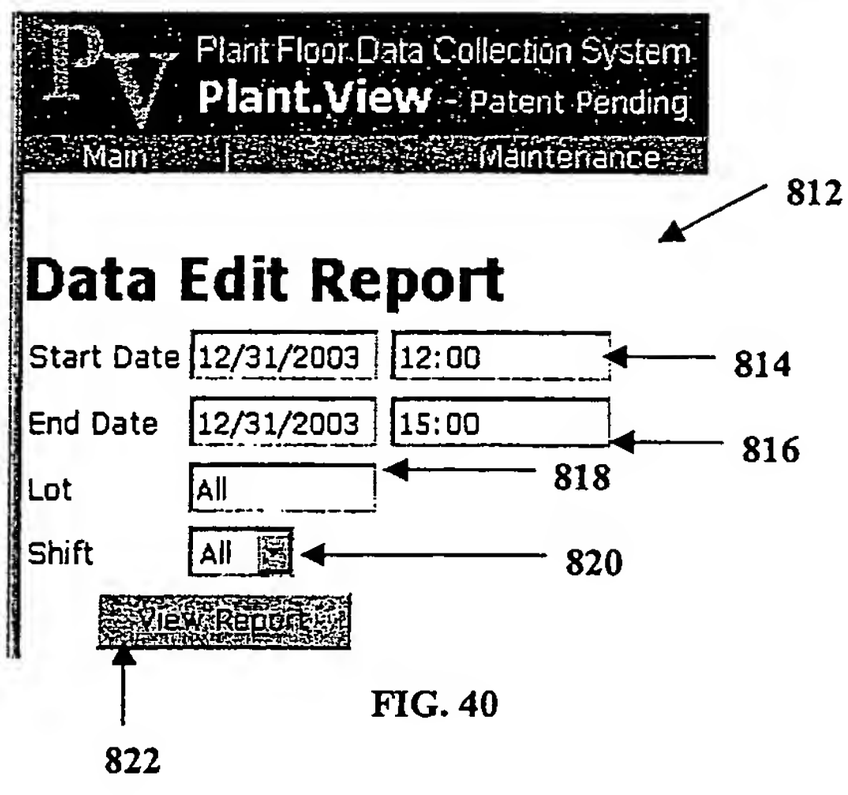
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
812
Data Edit Report
Start Date 12/31/2003 12:00
814
End Date 12/31/2003 15:00
816
Lot All
818
Shift All
820
View Report
822

FIG. 40

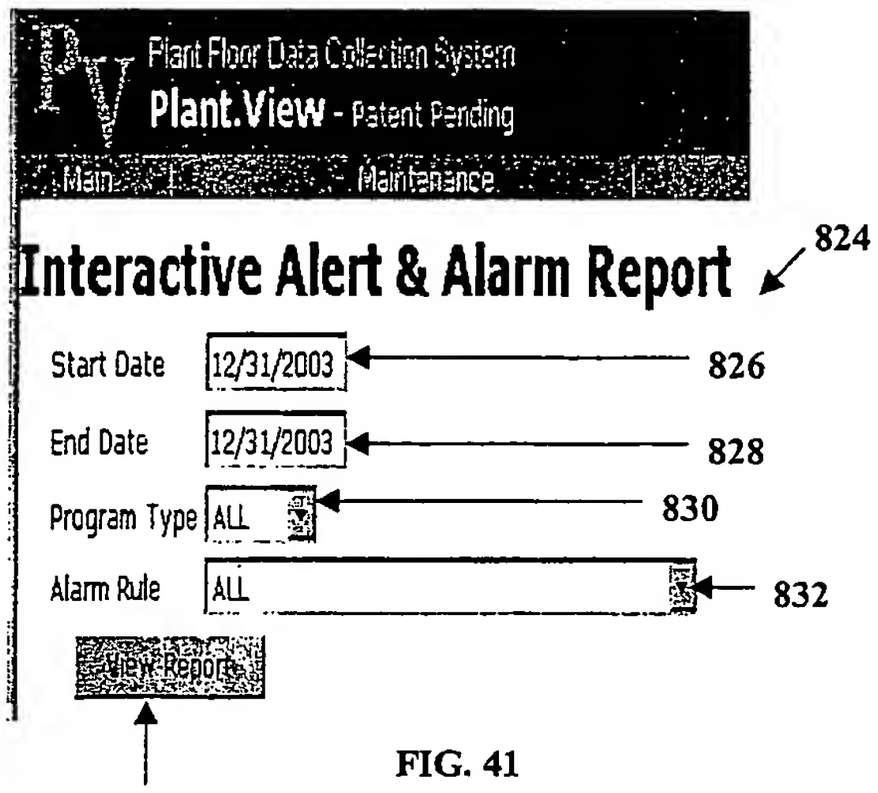
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Interactive Alert & Alarm Report
824
Start Date
12/31/2003
826
End Date
12/31/2003
828
Program Type
ALL
830
Alarm Rule
ALL
832
View Report
834

FIG. 41

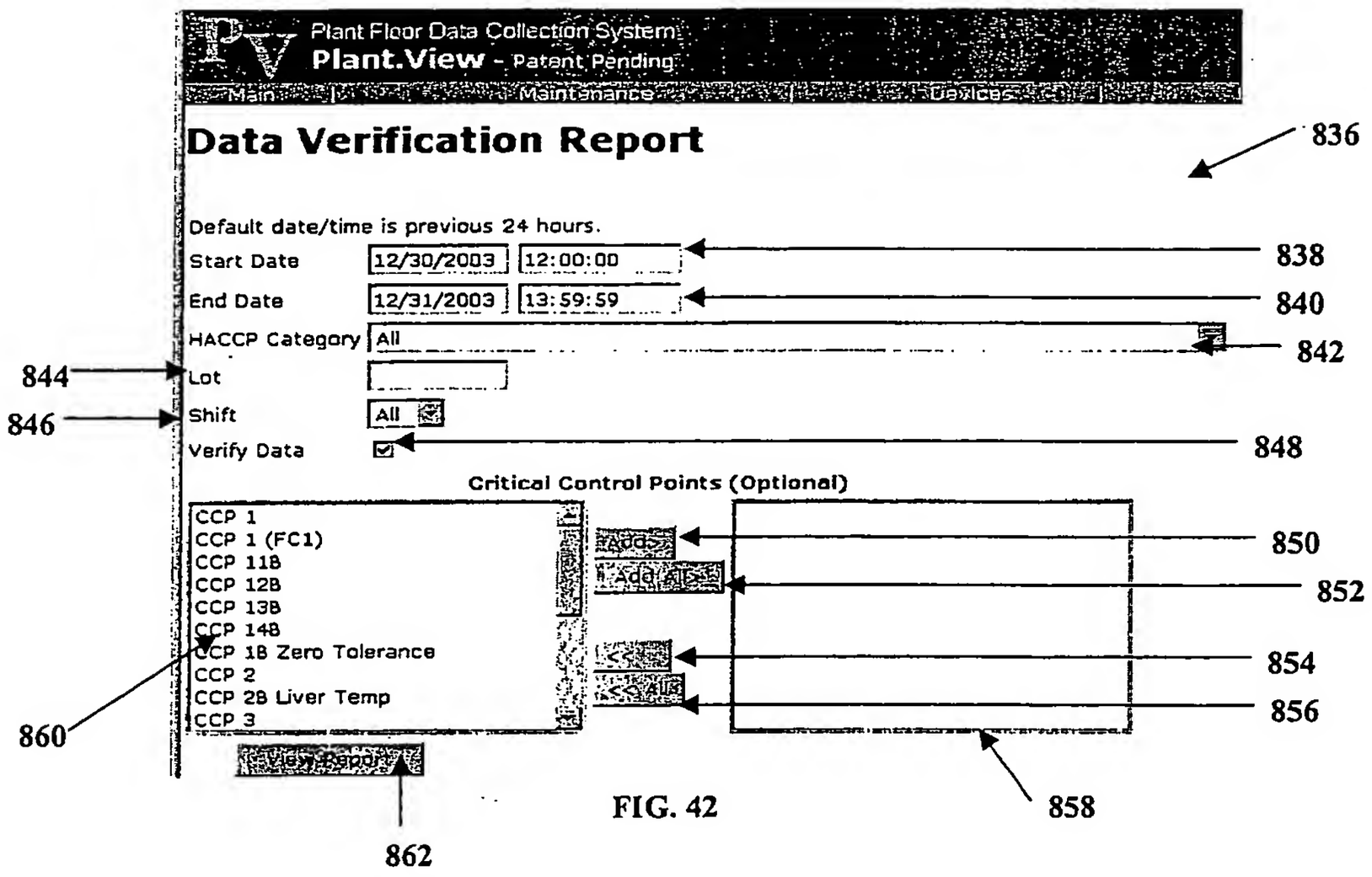
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Devices
Data Verification Report
836
Default date/time is previous 24 hours.
Start Date
12/30/2003
12:00:00
838
End Date
12/31/2003
13:59:59
840
HACCP Category
All
842
844
Lot
846
Shift
All
Verify Data
848
Critical Control Points (Optional)
CCP 1
CCP 1 (FC1)
CCP 11B
CCP 12B
CCP 13B
CCP 14B
CCP 1B Zero Tolerance
CCP 2
CCP 2B Liver Temp
CCP 3
Add >
850
Add All >>
852
< Remove
854
<< Remove All
856
860
View Report
858
862

FIG. 42

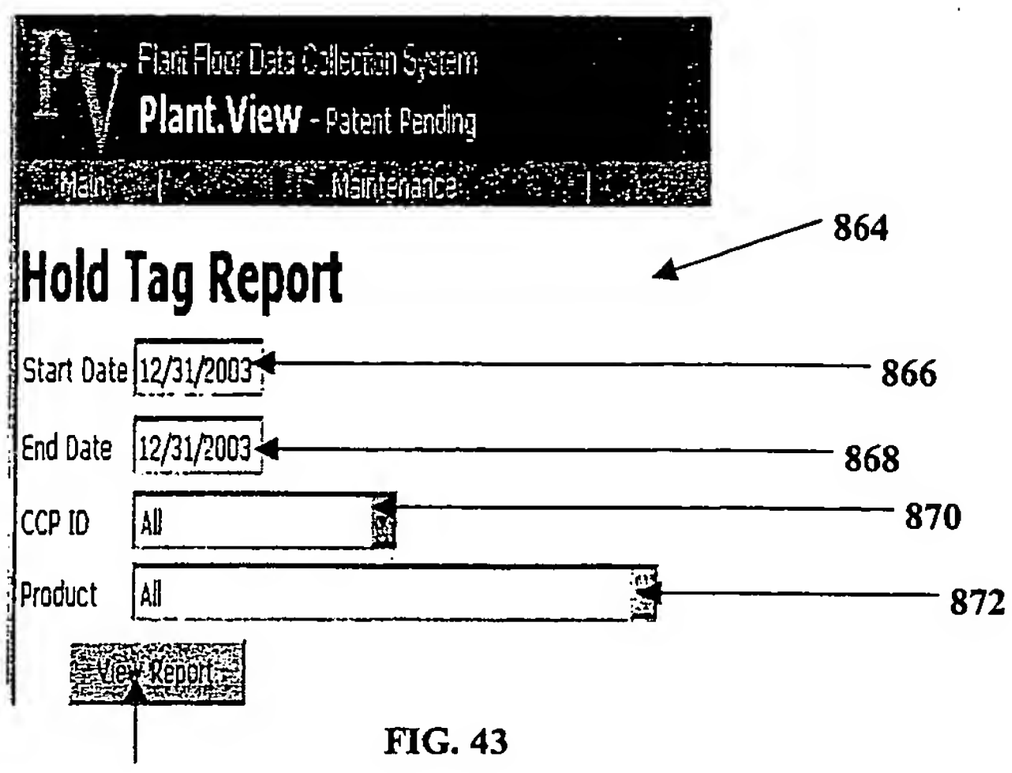
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Hold Tag Report
Start Date
12/31/2003
End Date
12/31/2003
CCP ID
All
Product
All
View Report
874
864
866
868
870
872

FIG. 43

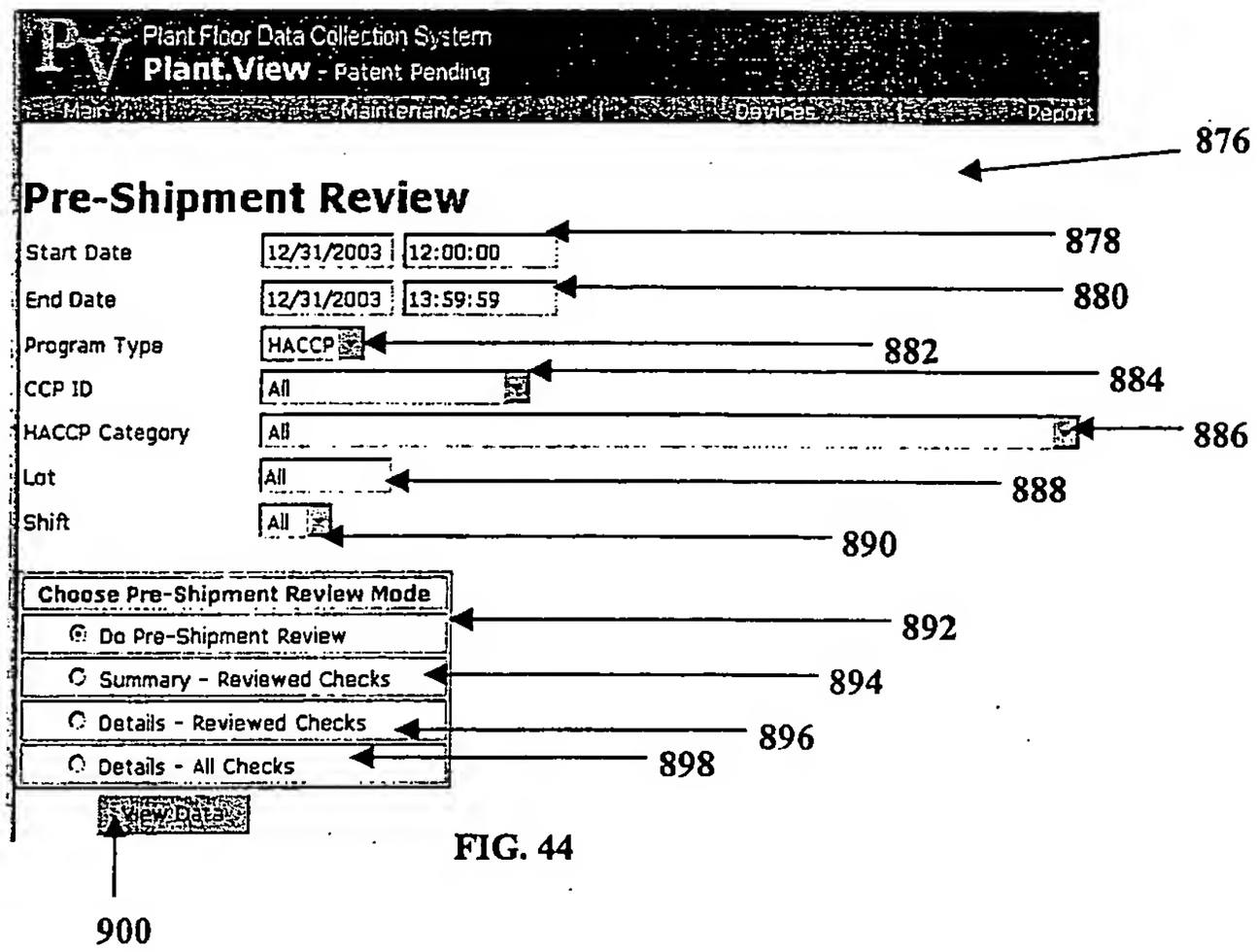
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Devices
Report
Pre-Shipment Review
Start Date
12/31/2003
12:00:00
End Date
12/31/2003
13:59:59
Program Type
HACCP
CCP ID
All
HACCP Category
All
Lot
All
Shift
All
Choose Pre-Shipment Review Mode
Do Pre-Shipment Review
Summary - Reviewed Checks
Details - Reviewed Checks
Details - All Checks
View Data
876
878
880
882
884
886
888
890
892
894
896
898
900

FIG. 44

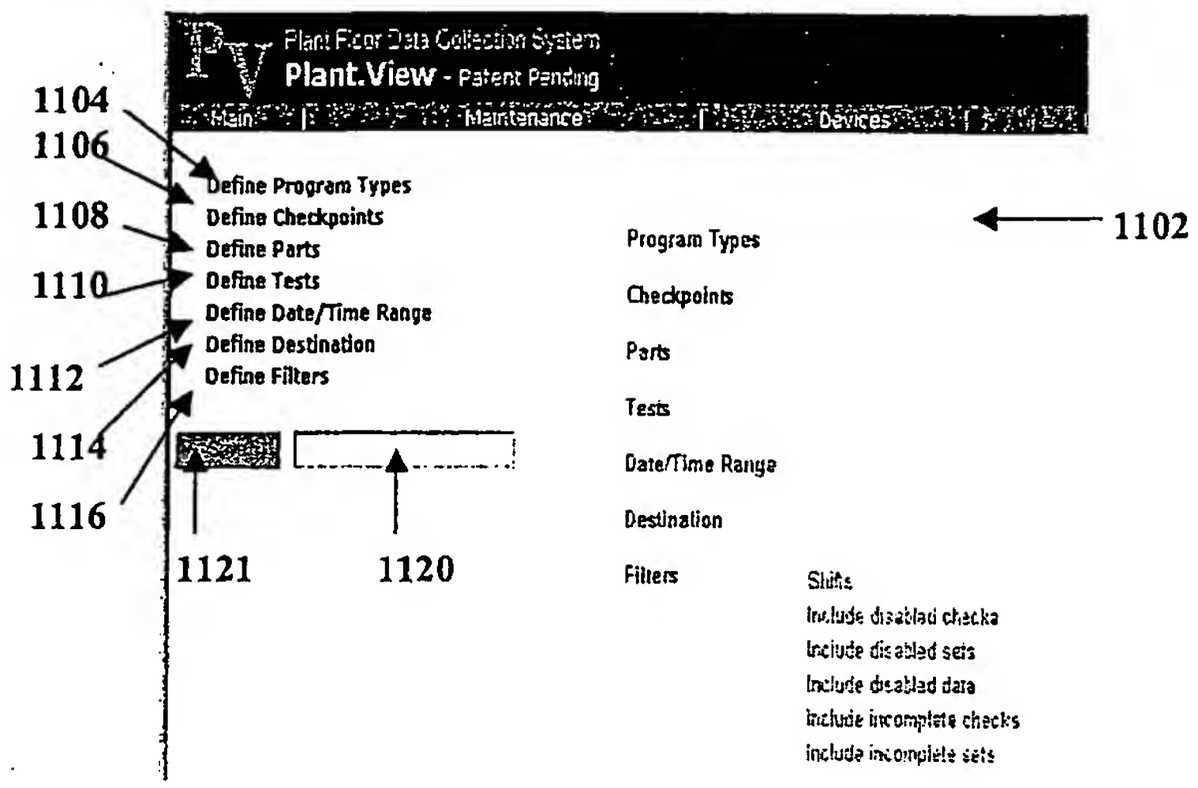
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Devices
1104
1106
1108
1110
1112
1114
1116
Define Program Types
Define Checkpoints
Define Parts
Define Tests
Define Date/Time Range
Define Destination
Define Filters
1102
Program Types
Checkpoints
Parts
Tests
Date/Time Range
Destination
Filters
Shifts
Include disabled checks
Include disabled sets
Include disabled data
Include incomplete checks
Include incomplete sets
1121
1120

FIG. 45

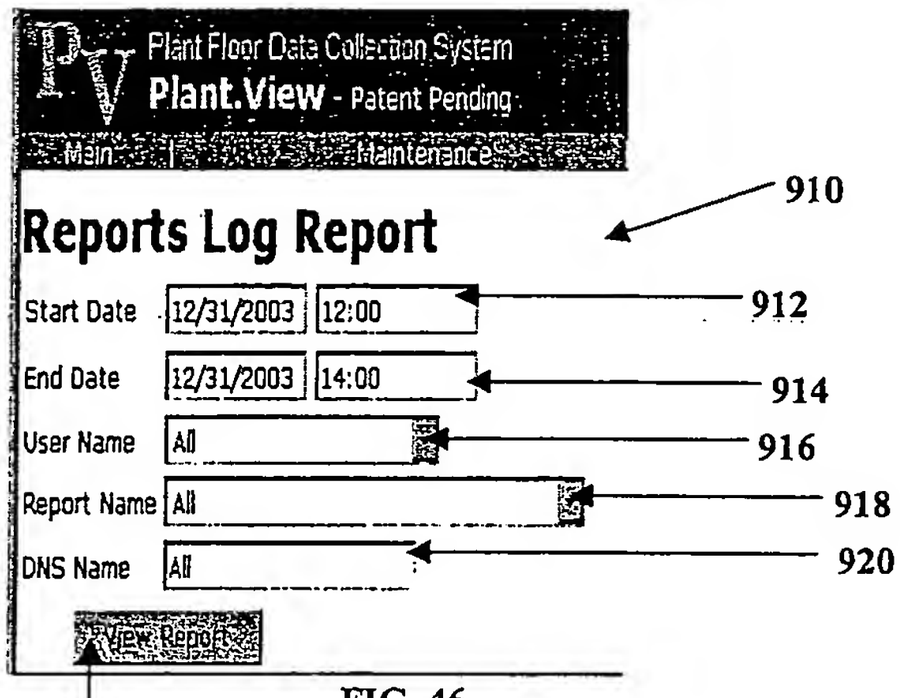
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
910
Reports Log Report
Start Date
12/31/2003
12:00
912
End Date
12/31/2003
14:00
914
User Name
All
916
Report Name
All
918
DNS Name
All
920
View Report
922

FIG. 46

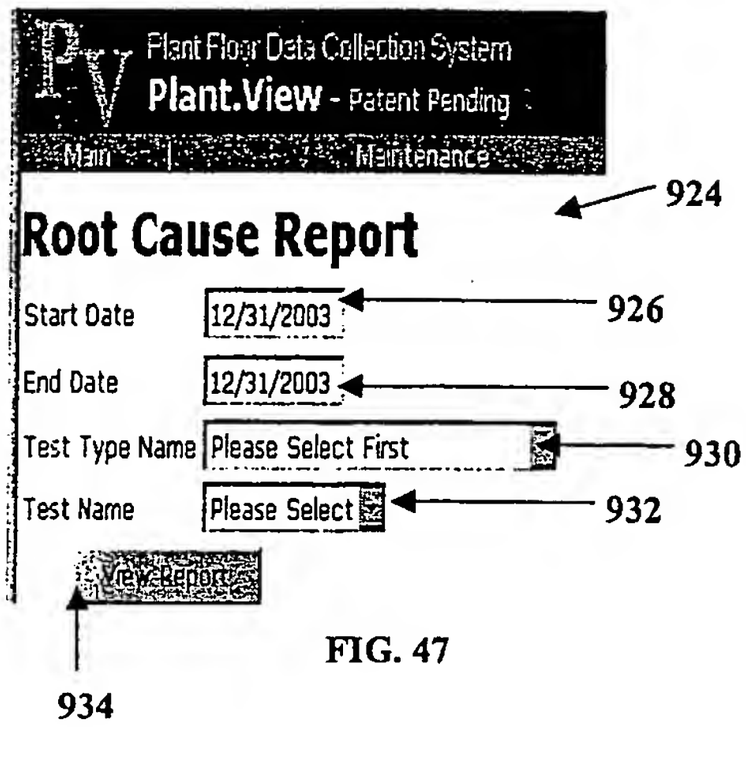
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Root Cause Report
924
Start Date
12/31/2003
926
End Date
12/31/2003
928
Test Type Name
Please Select First
930
Test Name
Please Select
932
View Report
934

FIG. 47

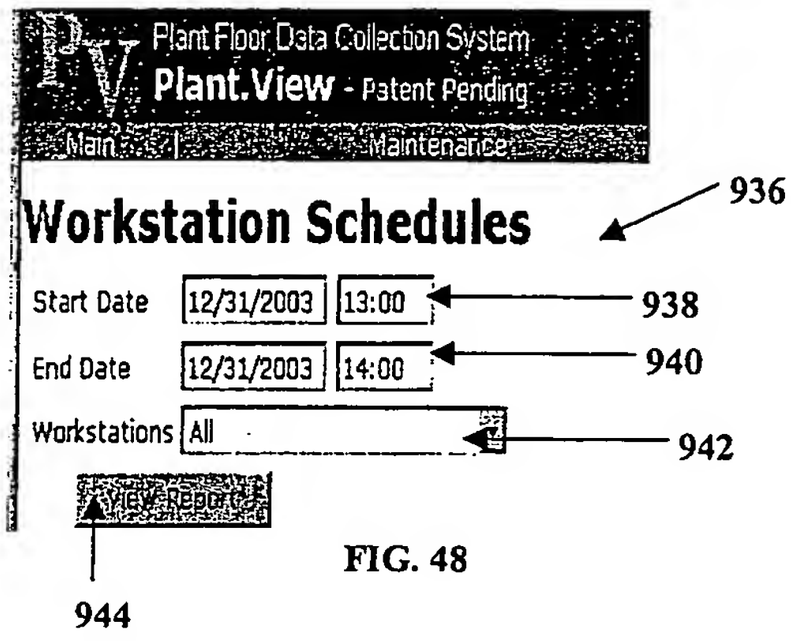
Plant Floor Data Collection System
Plant.View - Patent Pending
Main
Maintenance
Workstation Schedules
936
Start Date
12/31/2003
13:00
938
End Date
12/31/2003
14:00
940
Workstations
All
942
View Report
944

FIG. 48

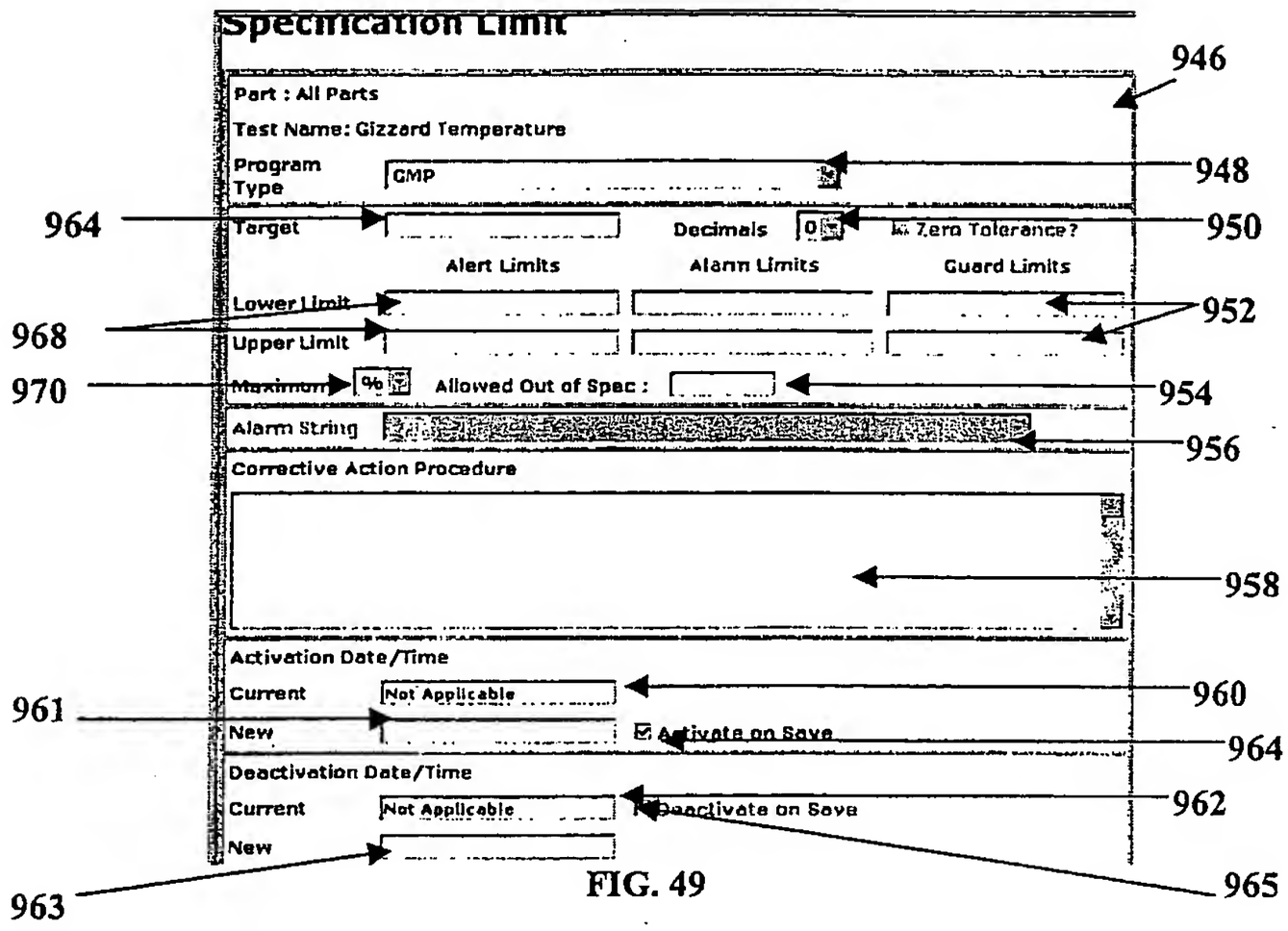
Specification Limit
946
Part : All Parts
Test Name: Gizzard Temperature
Program Type
GMP
948
964
Target
Decimals
0
Zero Tolerance?
950
Alert Limits
Alarm Limits
Guard Limits
Lower Limit
968
Upper Limit
952
970
Maximum
%
Allowed Out of Spec :
954
Alarm String
956
Corrective Action Procedure
958
Activation Date/Time
Current
Not Applicable
960
961
New
Activate on Save
964
Deactivation Date/Time
Current
Not Applicable
962
Deactivate on Save
New
963
965

FIG. 49

Please type a plus sign (+) inside this box → ☒

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐ Declaration Submitted With Initial Filing **OR** ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	718026.64
First Named Inventor	Tobler, Peter Arthur
COMPLETE IF KNOWN	
Application Number	10/708,146
Filing Date	February 11, 2004
Group Art Unit	Not yet known
Examiner Name	Not yet known

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A SYSTEM AND METHOD FOR MONITORING FACILITY DATA

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YY) 02/11/04 as United States Application Number or PCT International (if applicable).

Application Number 10/708,146 and was amended on (MM/DD/YY)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not claimed	Certified Copy Attached? YES	NO
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/446,493	2/11/2003	☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SENT TO: Assistant Commissioner for Patents, Box Design, Washington, DC 20231.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☒ Customer Number or Bar Code Label 27128 OR ☐ Correspondence address below

Name Kevin M. Kercher

Address Blackwell Sanders Peper Martin LLP

Address 720 Olive Street, Suite 2400

City St. Louis	**State** Missouri	**ZIP** 63101
Country US	**Telephone** 314-345-6000	**Fax** 314-345-6060

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any]) Peter Arthur	**Family Name Or Surname** Tobler

Inventor's Signature	**Date**

Residence City: Rogers	**State** AR	**Country** US	**Citizenship** US

Mailing Address 2811 Parkwood Drive

Mailing Address

City Rogers	**State** AR	**ZIP** 72756	**Country** US

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any]) David Michael	**Family Name Or Surname** Lech, Sr.

Inventor's Signature	**Date**

Residence City: Springdale	**State** AR	**Country** US	**Citizenship** US

Mailing Address 20865 N. Lakeshore Drive

Mailing Address

City Springdale	**State** AR	**ZIP** 72764	**Country** US

☒ Additional inventors are being named on the 7 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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DECLARATION — UTILITY OR DESIGN PATENT APPLICATION

ADDITIONAL INVENTOR(S) SUPPLEMENTAL SHEET

Attorney Docket Number: 718026.64

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF THIRD INVENTOR:	☐ A petition has been filed for this unsigned inventor
Given Name Kevin Leonard	**Family Name Or Surname** Whitfield
Inventor's Signature	**Date**
Residence City: Bentonville / **State** AR / **Country** US	**Citizenship** US
Mailing Address 2002 SW Spruce Rd.	
Mailing Address	
City Bentonville / **State** AR / **ZIP** 72712	**Country** US
NAME OF FOURTH INVENTOR:	☐ A petition has been filed for this unsigned inventor
Given Name (first and middle [if any]) Aaron Earl	**Family Name Or Surname** Axxe
Inventor's Signature	**Date**
Residence City: Rogers / **State** AR / **Country** US	**Citizenship** US
Mailing Address 1005 N. 26th Street	
Mailing Address	
City Rogers / **State** AR / **ZIP** 72756	**Country** US

☒ Additional inventors are being named on the 6 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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DECLARATION — UTILITY OR DESIGN PATENT APPLICATION

ADDITIONAL INVENTOR(S) SUPPLEMENTAL SHEET

Attorney Docket Number: 718026.64

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NAME OF FIFTH INVENTOR:	☐ A petition has been filed for this unsigned inventor		
Given Name Jeffrey Keene	**Family Name Or Surname** Mullins		
Inventor's Signature			**Date**
Residence City: Fayetteville	**State** AR	**Country** US	**Citizenship** US
Mailing Address 1904 N. High Ave.			
Mailing Address			
City Fayetteville	**State** AR	**ZIP** 72704	**Country** US
NAME OF SIXTH INVENTOR:	☐ A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Michael James	**Family Name Or Surname** Craddock		
Inventor's Signature			**Date**
Residence City: Bella Vista	**State** AR	**Country** US	**Citizenship** US
Mailing Address 40 Baker Dr.			
Mailing Address			
City Bella Vista	**State** AR	**ZIP** 72714	**Country** US

☒ Additional inventors are being named on the 5 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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ADDITIONAL INVENTOR(S) SUPPLEMENTAL SHEET

Attorney Docket Number: 718026.64

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NAME OF SEVENTH INVENTOR:	☐ A petition has been filed for this unsigned inventor		
Given Name William Wesley	**Family Name Or Surname** Griffith, III		
Inventor's Signature			**Date**
Residence City: Springdale	**State** AR	**Country** US	**Citizenship** US
Mailing Address 1859 Lancaster Drive			
Mailing Address			
City Springdale	**State** AR	**ZIP** 72762	**Country** US
NAME OF EIGHTH INVENTOR:	☐ A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) David Wesley	**Family Name Or Surname** Whisel		
Inventor's Signature			**Date**
Residence City: Springdale	**State** AR	**Country** US	**Citizenship** US
Mailing Address 2665 Adel Avenue			
Mailing Address			
City Springdale	**State** AR	**ZIP** 72762	**Country** US

☒ Additional inventors are being named on the 4 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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Attorney Docket Number: 718026.64

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NAME OF NINTH INVENTOR:	☐ A petition has been filed for this unsigned inventor		
Given Name Scott Douglas		**Family Name Or Surname** Stillwell	
Inventor's Signature			**Date**
Residence City: Alma	**State** AR	**Country** US	**Citizenship** US
Mailing Address P.O. Box 1508			
Mailing Address			
City Alma	**State** AR	**ZIP** 72921	**Country** US
NAME OF TENTH INVENTOR:	☐ A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Harry W.		**Family Name Or Surname** Mock	
Inventor's Signature			**Date**
Residence City: Fayetteville	**State** AR	**Country** US	**Citizenship** US
Mailing Address 2231 South Askew Drive			
Mailing Address			
City Fayetteville	**State** AR	**ZIP** 72701	**Country** US

☒ Additional inventors are being named on the 3 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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NAME OF ELEVENTH INVENTOR:	☐ A petition has been filed for this unsigned inventor
Given Name Johnathan Dale	**Family Name Or Surname** Parker
Inventor's Signature	**Date**
Residence City: Springdale	**State** AR **Country** US **Citizenship** US
Mailing Address 4339 Kings Place	
Mailing Address	
City Springdale **State** AR	**ZIP** 72762 **Country** US
NAME OF TWELVTH INVENTOR:	☐ A petition has been filed for this unsigned inventor
Given Name (first and middle [if any]) Stacy W.	**Family Name Or Surname** Jaycox
Inventor's Signature	**Date**
Residence City: Springdale	**State** AR **Country** US **Citizenship** US
Mailing Address 1802 B Kimbrough St.	
Mailing Address	
City Springdale **State** AR	**ZIP** 72762 **Country** US

☒ Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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Attorney Docket Number: 718026.64

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NAME OF THIRTEENTH INVENTOR:	☐ A petition has been filed for this unsigned inventor		
Given Name Joel	**Family Name Or Surname** Garringer		
Inventor's Signature			**Date**
Residence City: Tulsa	**State** OK	**Country** US	**Citizenship** US
Mailing Address 1307 N. Irvington Ave.			
Mailing Address			
City Tulsa	**State** OK	**ZIP** 74115	**Country** US
NAME OF FOURTEENTH INVENTOR:	☐ A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) John	**Family Name Or Surname** Roach		
Inventor's Signature			**Date**
Residence City: Siloam Springs	**State** AR	**Country** US	**Citizenship** US
Mailing Address 16309 Butler Road			
Mailing Address			
City Siloam Springs	**State** AR	**ZIP** 72761	**Country** US

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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ADDITIONAL INVENTOR(S) SUPPLEMENTAL SHEET

Attorney Docket Number: 718026.64

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NAME OF FIFTEENTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name	Family Name
Charles V.	Lepard

Inventor's Signature	Date

Residence City	State	Country	Citizenship
Troy	MI	US	US

Mailing Address 5555 New King Street

Mailing Address

City	State	ZIP	Country
Troy	MI	48098	US

NAME OF FOURTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Family Name Or Surname

Inventor's Signature	Date

Residence City:	State	Country	Citizenship

Mailing Address

Mailing Address

City	State	ZIP	Country

☐ Additional inventors are being named on the __ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

ASSIGNMENT

WHEREAS, Peter Arthur Tobler, a resident of Rogers, Arkansas; David Michael Lech, Sr., a resident of Springdale, Arkansas; Kevin Leonard Whitfield, a resident of Bentonville, Arkansas; Aaron Earl Axxe, a resident of Rogers, Arkansas; Jeffrey Keene Mullins, a resident of Fayetteville, Arkansas; Michael James Craddock, a resident of Bella Vista, Arkansas; William Wesley Griffith, III, a resident of Springdale, Arkansas; David Wesley Whisel, a resident of Springdale, Arkansas; Scott Douglas Stillwell, a resident of Alma, Arkansas; Harry W. Mock, a resident of Fayetteville, Arkansas; Johnathan Dale Parker, a resident of Springdale, Arkansas; Stacy W. Jaycox, a resident of Springdale, Arkansas; Joel Garringer, a resident of Tulsa, Oklahoma; John Roach, a resident of Siloam Springs, Arkansas; and Charles V. Lepard, a resident of Troy, Michigan (hereinafter referred to as "Assignors"), are the inventors of a certain new and useful invention relating to A SYSTEM AND METHOD FOR MONITORING FACILITY DATA for which application has been made as U.S. Provisional Patent Application No. 60/446,493 filed on February 11, 2003, and as U.S. Patent Application No. 10/708,146 filed on February 11, 2004; and

WHEREAS, Assignors are the owners and in full possession of the entire right, title and interest in and to said invention and in and to any and all Letters Patent that may be granted therefor; and

WHEREAS, Tyson Foods, Inc., a corporation duly organized under the laws of the State of Arkansas, (hereinafter referred to as "Assignee"), having its principal office and place of business at 2210 West Oaklawn Drive, Springdale, Arkansas, 72762, is desirous of acquiring the

entire right, title and interest in and to said invention and in and to any and all Letters Patent that may be granted therefor; and

NOW, THEREFORE, for and in consideration of the sum of One Dollar (U.S. $1.00) and other valuable considerations to Assignors paid by said Assignee, receipt of which is hereby acknowledged, Assignors do hereby sell, assign and transfer unto said Assignee, the entire right, title and interest in and to said invention and in and to any and all Letters Patent, both United States and foreign, that may be granted therefor, together with any and all continuations, divisions, or reissues, and Assignors do hereby authorize and request the United States Commissioner of Patents and Trademarks to issue in accordance with this Assignment any and all Letters Patent that may be granted, either on said application or otherwise for said invention.

This Assignment is effective as of February 11, 2004.

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Peter Arthur Tobler

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Peter Arthur Tobler to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
David Michael Lech, Sr.

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared David Michael Lech, Sr. to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Kevin Leonard Whitfield

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____., 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Kevin Leonard Whitfield to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Aaron Earl Axxe

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Aaron Earl Axxe to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Jeffrey Keene Mullins

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Jeffrey Keene Mullins to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Michael James Craddock

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Michael James Craddock to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
William Wesley Griffith, III

STATE OF)
) ss.
COUNTY OF)

On this __ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared William Wesley Griffith, III to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
David Wesley Whisel

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared David Wesley Whisel to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Scott Douglas Stillwell

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Scott Douglas Stillwell to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Harry W. Mock

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Harry W. Mock to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Johnathan Dale Parker

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Johnathan Dale Parker to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Stacy W. Jaycox

STATE OF)
) ss.
COUNTY OF)

On this __ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Stacy W. Jaycox to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Joel Garringer

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Joel Garringer to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____ _____

John Roach

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared John Roach to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____

Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: _____

_____
Charles V. Lepard

STATE OF)
) ss.
COUNTY OF)

On this ___ day of _____, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Charles V. Lepard to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

_____
Notary Public

My Commission Expires:

PTO/SB/96 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Tobler, et al.

Application No./Patent No.: 10/708,146 Filed/Issue Date: February 11, 2004

Entitled: A SYSTEM AND METHOD FOR MONITORING FACILITY DATA

Tyson Foods, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or

2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

A. [x] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[x] Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

_____
Date

Thomas Michael Baker
Typed or printed name

_____
Signature

Sr. Vice President Support Services for Tyson Foods, Inc.
Title

PTO/SB/81 (10-00)

Please type a plus sign (+) inside this box → ☒

Approved for use through 10/31/2002. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

POWER OF ATTORNEY OR AUTHORIZATION OF AGENT		
	Application Number	10/708,146
	Filing Date	February 11, 2004
	First Named Inventor	Peter Arthur Tobler
	Group Art Unit	Unknown
	Examiner Name	Unknown
	Attorney Docket Number	718026.64

I hereby appoint:

☒ Practitioners at Customer Number 27128 → Place Customer Number Bar Code Label here

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Firm or Individual Name					
Address					
Address					
City		State		Zip	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.7.1.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Thomas Michael Baker Sr. Vice President Support Services for Tyson Foods, Inc.
Signature	
Date	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

Burden Hour Statement; This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

REMINDER REGARDING DISCLOSURE OF INFORMATION

Patent applicants and their legal representatives owe a strict duty of candor and good faith in dealing with the U.S. Patent and Trademark Office ("USPTO"). Rules of the USPTO now require early disclosure of prior art and all other information known to be material to patentability.

Please use the attached form to disclose to us promptly all such information not already disclosed. Please update your disclosures to us if you learn of additional new prior art or other new information which may be material to the patentability of your patent application. We can then file another Information Disclosure Statement ("IDS") at that time. The disclosure obligation continues so long as the application is pending.

Government fees are imposed for late filing of an IDS (i.e., more than three months after learning of the information to be disclosed). New information (such as references) cited in a corresponding patent application in any other country should also be revealed to us as the above-mentioned three-month period runs from the date of any communication from a foreign patent office.

Intentional failure to disclose to the USPTO information material to patentability may result in a patent being declared unenforceable and can have additional adverse consequences. Thus, please identify all such information to us promptly.

INVENTOR DISCLOSURE OF PRIOR ART
AND PUBLIC USE

INSTRUCTIONS: This form is for your use in disclosing prior art and other information to us.

(1) The Patent Office requires that inventors (and their employers) disclose to the U.S. Patent Office any prior art which is relevant to or reasonably close to the invention, and which is known to them before the patent, if any, is issued. Failure to disclose may result in denial of the application or invalidation of a patent which may later issue. The rule does not impose a duty to search out or discover prior art. Prior art, for the purposes of completing this form, is any printed publication or other document which became available or accessible to members of the public before the filing of the patent application. Also list any physical items known to you which are relevant to the invention.

(2) Any public disclosure of the invention or commercial activities relating to the invention need to be brought to the attention of the Patent Office. Describe any such public disclosure or commercial activities on a separate page.

_____

_____

_____

_____

Please identify below all relevant prior art and other information known to you to be relative to the subject matter and patentability of the above-identified matter. If possible, attach a copy of each of the documents identified below. NOTE: PATENTS AND DOCUMENTS RESULTING FROM NOVELTY, PATENTABILITY OR OTHER FORMAL SEARCHES ALREADY ON FILE IN THIS OFFICE SHOULD NOT BE LISTED BECAUSE WE WILL LIST THEM OURSELVES.

Citations:
(List Title, Source, Date, Author, Relevant Pages, Figures, Patent No., Inventor, Date Issued, etc.)

1.

2.

3.

4.

Aside from prior art resulting from the novelty or patentability search, if any, the item(s) identified above are all that I know about.

Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date

Aside from prior art resulting from the novelty or patentability search, if any, the item(s) identified above are all that I know about.

Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date
Inventor (type/print)	Signature	Date

COPY

April 16, 2001

Kevin Young
Tyson Foods Inc.
2210 West Oaklawn Drive
Springdale, AR
72762-6999

Dear Mr. Young:

This letter agreement confirms the selection by Tyson Foods Inc. ("Client") of Electronic Data Systems Corporation ("EDS") and EDS Information Services L.L.C. ("EIS") to provide certain personnel on a "time and materials" basis to perform tasks or services at the prioritization of Client, which tasks or services must be in the domestic United States and be from within the following items: EDS will provide consulting services. The obligations of EDS set forth in this letter agreement will be performed by EDS, itself and through its direct and indirect wholly-owned subsidiaries, including EIS. All references to EDS in this letter agreement will be deemed to include all such subsidiaries, and EDS and Client may be referred to in this letter agreement individually as a "party" and together as the "parties". The term of this letter agreement will begin on April 16, 2001 and will continue for a period of 30 days or until terminated by either party as set forth in this letter agreement, whichever occurs first.

This letter agreement authorizes EDS to make available to the Client's personnel who have either the following job title or can perform the following job functions on a time and materials basis (the "Services"):

I. Consultant Senior will have knowledge of:
- Warehousing and distribution
- Manufacturing
- InTouch & InTrack tools

The parties agree and acknowledge that EDS' obligation under this letter agreement is to provide the above personnel at the rates reflected below. Client is to direct and prioritize the activities or tasks which such personnel are to perform.

Client will pay EDS for the Services on a time and materials basis for the actual amount of time spent by EDS personnel at the respective rates reflected below. The Services will be performed during the normal business hours of Client.

Resources

EDS will provide consulting and development resources required for the activities included in this agreement.

The table below presents a high-level staffing plan for this engagement.

Estimated Resources
Hours per Month (based on a 9 hour day; 19 days per month)

Professional Services	April	May	Total
Consultant Senior	90	81	171
Total	**90**	**81**	**171**

Resource Assumptions

EDS makes the following assumptions about the staffing plan:

- EDS' resource estimates are based on information provided by Client. If new information changes the work scope, EDS will work with Client to identify, estimate and price the resources for the changes to the work scope.

Professional Services Rates

EDS professional services fees are billed on an hourly basis and exclude travel and living expenses. The following table identifies the rates for the consulting and development resources. Client will be charged for the actual effort provided.

Professional Services Rates

Professional Service Description	Hourly Rate
Consultant Senior	$195

Estimated Professional Services Fees

The total effort this project has been estimated by resource in the following table:

Professional Services	Rate/Hour	Estimated Effort (hours)	Total Estimated Fees
Consultant Senior	$195	171	$33,345
Total Estimate		**171**	**$33,345**

Pricing Assumptions

EDS makes the following pricing assumptions:

- EDS is offering our services on a time and materials basis.
- Professional services will be invoiced for actual hours provided. EDS used 19 business days a month (171 hours) for the purpose of creating these estimates.

Travel and Expenses

EDS will re-bill Client for all actual out of pocket costs and expenses, including travel and travel-related expenses incurred by EDS in providing services defined in this contract. Below are estimated travel costs for reference:

Estimated Travel Expenses

Resources	Number of Weeks	Estimated Cost/Week*	Total Estimated Travel Expenses
Consultant Senior	4	$1,000	$4,000
Total Estimate	**4**		**$4,000**

Estimated Total Engagement Fees

Professional Services	Total Estimated Fees
Estimated Professional Services Fees	$33,345
Estimated Travel Expenses	$4,000
Estimated Total Engagement Fees	**$37,345**

Actual travel and related expenses will be billed to Client as an additional expense; provided, however, that the parties intend that Client will arrange and pay for any such travel directly rather than EDS arranging for the travel, incurring such cost and being reimbursed by Client. There will be added to any charges for the Services the amounts equal to any taxes or assessments based upon such charges, or upon this letter agreement as to the Services performed hereunder or the software, services or items provided by EDS, or their use, including state and local sales, use, privilege, value added or excise taxes based on gross revenue, exclusive, however, of franchise taxes and taxes based on the net income of EDS. EDS will invoice Client for the Services on a monthly basis in arrears reflecting the amount owed to EDS by Client for the immediately previous month, with such supporting documentation as Client reasonably requests, and Client will pay the invoiced amount on the 15th day following Client's receipt of the invoice.

EDS and Client recognize that, during the term of this letter agreement, both parties may have access to confidential or proprietary information belonging to the other and each desires that

any such confidential and proprietary information remain confidential. Each party agrees that, for a period of two (2) years from receipt of information from the other party hereunder, such party will use the same means it uses to protect its own confidential and proprietary information, but in any event not less than reasonable means, to prevent the disclosure and to protect the confidentiality of such information received from the other party which is identified as confidential or proprietary ("Confidential Information"). The foregoing will not prevent either party from disclosing Confidential Information which belongs to such party or is (i) already known by the recipient party without an obligation of confidentiality, (ii) publicly known or becomes publicly known through no unauthorized act of the recipient party, (iii) rightfully received from a third party, (iv) independently developed by the recipient party without use of the other party's Confidential Information, (v) disclosed without similar restrictions to a third party by the party owning Confidential Information, (vi) approved by the other party for disclosure. If Confidential Information is required to be disclosed pursuant to a requirement of a governmental authority, such Confidential Information may be disclosed pursuant to the requirement so long as the party required to disclose the Confidential Information, to the extent possible, provides the other party with timely prior notice of the requirement and coordinates with such other party in an effort to limit the nature and scope of such required disclosure. Upon written request at the termination of this letter agreement, all documented Confidential Information (and all copies thereof) owned by the requesting party will be returned to the requesting party or will be destroyed, with written certification thereof being given to the requesting party.

EDS, in providing the Services under this letter agreement, is acting only as an independent contractor, and under no circumstances will EDS be deemed to be in any relationship with Client carrying with it fiduciary or trust responsibilities, whether through partnership or otherwise. EDS does not undertake by this letter agreement or otherwise to perform any obligation of Client, whether regulatory or contractual, or to assume any responsibility for Client' business or operations. The EDS personnel performing the Services will be and remain the employees of EDS. In performing the Services under this letter agreement, EDS may use certain software, ideas, concepts, know-how, development tools, techniques or other proprietary materials or information which are owned or licensed by EDS. As between EDS and Client, all such items will be and remain EDS' property, and Client will have no right or interest therein; provided, however, that, in the event and to the extent there are to be specific, written deliverables to be provided to Client (and which are paid for by Client) as a result of the provision of the Services, Client will own the copyright (either as a work for hire or by assignment from EDS) in and to all such deliverables, subject, however, to any third party rights or restrictions.

EDS MAKES NO REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, REGARDING ANY MATTER INCLUDING THE MERCHANTABILITY, SUITABILITY, ORIGINALITY, FITNESS FOR A PARTICULAR USE OR PURPOSE, OR RESULTS TO BE DERIVED FROM THE USE OF ANY MATERIALS OR SERVICES PROVIDED UNDER THIS LETTER AGREEMENT. EDS shall have no liability to Client under or relating to this letter agreement in excess of the charges paid by Client to EDS under this letter agreement (excluding payments for taxes or out-of-pocket expenses) during the one (1) month period immediately preceding the date that the first claim or action arose. In no event will EDS be liable for lost profits,

speculative, consequential, indirect or punitive damages. Client acknowledges and agrees that EDS will not be responsible for Year 2000 compliance of any software, systems, hardware and related equipment, data, interfaces or processes provided under this letter agreement or have any liability as a result of such items not be Year 2000 compliant.

Either party may terminate this letter agreement by providing the other with 5 days prior written notice of such termination. In addition, if either party materially defaults in the performance of any of its obligations under this letter agreement, which default is not substantially cured within 5 days after notice is given to the defaulting party specifying the default or, with respect to those defaults that cannot reasonably be cured within 5 days, should the defaulting party fail to proceed within 5 days to commence curing the default and thereafter to proceed with all reasonable diligence to substantially cure the default, the party not in default may, by giving written notice thereof to the defaulting party, terminate this letter agreement as of a date specified in such notice of termination. Upon expiration or termination of this letter agreement for any reason, EDS will cease to perform the Services for Client, and Client will pay to EDS all sums due to EDS as a result of the Services performed and expenses incurred (including those expenses that, instead of being concurrently billed, have been included in future payments to be made by Client) through the effective date of such expiration or termination (prorated as appropriate). Expiration or termination of this letter agreement for any reason will not release either party from any liabilities or obligations set forth in this letter agreement which (a) the parties have expressly agreed will survive any such expiration or termination or (b) remain to be performed or by their nature would be intended to be applicable following any such expiration or termination. This letter agreement (1) will be governed by the substantive laws of the State of Texas, without giving effect to any choice-of-law rules that may require the application of the laws of another jurisdiction, (2) may not be assigned by either party without the prior written consent of the other, (3) may not be changed or modified orally or through a course of dealing, but only by a written amendment or revision signed by the parties and (4) constitutes the entire agreement of the parties with respect to the subject matter hereof, superseding any previous or contemporaneous representations, understandings or agreements with respect to such subject matter.

Please indicate your acceptance of and agreement to this letter agreement by having an authorized representative of Client execute both copies of this letter agreement in the space provided below and return one copy to me.

Sincerely,

Electronic Data Systems Corporation

By: [signature]
Title: Client Delivery Exec.
Date: May 17, 2001

EDS Information Services L.L.C.

By: [signature]
Title: Client Delivery Exec
Date: May 17, 2001

ACCEPTED AND AGREED this 17th day
of May, 2001:
[Client Legal Name]

By: [signature]
Name: Kevin Young
Title: Director of Technical Services

Company : EDS

INVOICE U1328888
SEPTEMBER 28, 2001

Page 1

TOTAL DUE THIS INVOICE	**$24,024.00**
DUE DATE	**OCTOBER 28, 2001**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS, CALL:
JON LIND - (713) 890-1278

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	24,024.00
INVOICE SUBTOTAL	24,024.00
SALES TAX	0.00
INVOICE TOTAL	**$24,024.00**

OK Jennie Brown

851300
12422221

☒

RETURN PORTION
PLEASE ENCLOSE THIS PORTION WITH YOUR CHECK MADE PAYABLE TO EDS, AND MAIL TO:

EDS CORPORATION
P.O. BOX 14947
ST LOUIS MO 63150-4947
U.S.A.

INVOICE U1328888
SEPTEMBER 28, 2001

TOTAL DUE THIS INVOICE	**$24,024.00**
DUE DATE	**OCTOBER 28, 2001**
CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

Company: EDS

INVOICE U1271279
JUNE 7, 2001

Page 1

TOTAL DUE THIS INVOICE $53,323.11
DUE DATE JUNE 22, 2001

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

FOR QUESTIONS, CALL:
JON LIND - (713) 890-1278

CHARGES

INVOICE PERIOD: 04/16/01 - 05/31/01

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
PROFESSIONAL SERVICES			
CHUCK LEPARD 4/23/01 - 05/31/01	222.5	195.00	$43,387.50
BOB JOHNSON 04/16/01 - 04/19/01	29	195.00	5,655.00
SUBTOTAL			49,042.50
TRAVEL AND TRAVEL RELATED EXPENSES			
CHUCK LEPARD 04/23/01 - 05/31/01			3,421.04
BOB JOHNSON 04/16/01 - 04/19/01			859.57
SUBTOTAL			4,280.61
TOTAL TAXABLE AMOUNT			0.00
TOTAL NON-TAXABLE AMOUNT			53,323.11
INVOICE SUBTOTAL			53,323.11
SALES TAX			0.00
INVOICE TOTAL			$53,323.11

Reg Consultant

851300
12422221

Company: ELS

INVOICE U1280005
JUNE 27, 2001

Page 1

TOTAL DUE THIS INVOICE	$27,910.98
DUE DATE	JULY 27, 2001

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS, CALL:
JON LIND - (713) 890-1278

CHARGES

INVOICE PERIOD: 06/01/01 - 06/30/01

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
PROFESSIONAL SERVICES CHUCK LEPARD 6/01/01 - 6/30/01	167	156.00	$26,052.00
TRAVEL AND TRAVEL RELATED EXPENSES CHUCK LEPARD 6/01/01 - 6/30/01			1,858.98

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	27,910.98
INVOICE SUBTOTAL	27,910.98
SALES TAX	0.00
INVOICE TOTAL	$27,910.98

OK Jennie Brown 851300
1242222

Company: EL3

INVOICE U1296995

JULY 30, 2001

Page 1

TOTAL DUE THIS INVOICE	**$22,444.63**
DUE DATE	**AUGUST 29, 2001**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS, CALL:
JON LIND - (713) 890-1278

CHARGES

INVOICE PERIOD: 07/01/01 - 07/31/01

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
PROFESSIONAL SERVICES			
CHUCK LEPARD 7/01/01 - 7/31/01	132	156.00	$20,592.00
TRAVEL AND TRAVEL RELATED EXPENSES			
CHUCK LEPARD 7/01/01 - 7/31/01			1,852.63

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	22,444.63
INVOICE SUBTOTAL	22,444.63
SALES TAX	0.00
INVOICE TOTAL	**$22,444.63**

OK Jennie Brown

851300
12422221

EDS Company

INVOICE U1313377
AUGUST 29, 2001

Page 1

TOTAL DUE THIS INVOICE **$22,418.63**
DUE DATE **SEPTEMBER 28, 2001**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

FOR QUESTIONS, CALL:
JON LIND - (713) 890-1278

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	22,418.63
INVOICE SUBTOTAL	22,418.63
SALES TAX	0.00
INVOICE TOTAL	$22,418.63

OK Jennie Brown

851300
12422221

☒

RETURN PORTION
PLEASE ENCLOSE THIS PORTION WITH YOUR CHECK MADE PAYABLE TO EDS, AND MAIL TO:

EDS CORPORATION
P.O. BOX 14947
ST LOUIS MO 63150-4947
U.S.A.

INVOICE U1313377
AUGUST 29, 2001

TOTAL DUE THIS INVOICE **$22,418.63**
DUE DATE **SEPTEMBER 28, 2001**

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

EDS Company

INVOICE U1313377

Page 1

AUGUST 29, 2001

TOTAL DUE THIS INVOICE **$22,418.63**
DUE DATE **SEPTEMBER 28, 2001**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

FOR QUESTIONS, CALL:
JON LIND - (713) 890-1278

CHARGES

INVOICE PERIOD: 08/01/01 - 08/31/01

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
PROFESSIONAL SERVICES			
CHUCK LEPARD	134	156.00	$20,904.00
8/01/01 - 8/31/01			
ADJUSTMENT TO JULY HOURS	4	-156.00	-624.00
TRAVEL AND TRAVEL RELATED EXPENSES			
CHUCK LEPARD			2,138.63
8/01/01 - 8/31/01			

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	22,418.63
INVOICE SUBTOTAL	22,418.63
SALES TAX	0.00
INVOICE TOTAL	**$22,418.63**

EDS

INVOICE U1343361

Page 1

OCTOBER 30, 2001

TOTAL DUE THIS INVOICE	**$26,020.80**
DUE DATE	**NOVEMBER 29, 2001**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	26,020.80
INVOICE SUBTOTAL	26,020.80
SALES TAX	0.00
INVOICE TOTAL	**$26,020.80**

OK Jennie Brown

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12422221

☒

RETURN PORTION
PLEASE ENCLOSE THIS PORTION WITH YOUR CHECK MADE PAYABLE TO EDS, AND MAIL TO:

EDS CORPORATION
P.O. BOX 14947
ST LOUIS MO 63150-4947
U.S.A.

INVOICE U1343361
OCTOBER 30, 2001

TOTAL DUE THIS INVOICE	**$26,020.80**
DUE DATE	**NOVEMBER 29, 2001**
CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

INVOICE U1343361

Page 1

OCTOBER 30, 2001

TOTAL DUE THIS INVOICE	**$26,020.80**
DUE DATE	**NOVEMBER 29, 2001**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

CHARGES

INVOICE PERIOD: 10/01/01 - 10/31/01

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
PROFESSIONAL SERVICES CHUCK LEPARD 10/01/01 - 10/31/01	166.8	156.00	$26,020.80

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	26,020.80
INVOICE SUBTOTAL	26,020.80
SALES TAX	0.00
INVOICE TOTAL	**$26,020.80**

INVOICE U1343361

Page 1

OCTOBER 30, 2001

TOTAL DUE THIS INVOICE	**$26,020.80**
DUE DATE	**NOVEMBER 29, 2001**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

TAX DETAIL REPORT

SERVICE DESCRIPTION	AMOUNT OF SERVICE	TAXABLE AMOUNT	CALCULATED SALES TAX	TAX RATE	TAX STATUS	LOCATION
CHUCK LEPARD	26,020.80	0.00	0.00	0.000	Y	AR,SPRINGDALE
	$26,020.80	$0.00	$0.00			

SALES TAX TOTAL:	0.00
INVOICE TOTAL:	$26,020.80

EDS

INVOICE U1356583
NOVEMBER 29, 2001

Page 1

TOTAL DUE THIS INVOICE	$24,533.53
DUE DATE	DECEMBER 29, 2001

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	24,533.53
INVOICE SUBTOTAL	24,533.53
SALES TAX	0.00
INVOICE TOTAL	$24,533.53

OK Jennie Brown

851300
12422221

☒

RETURN PORTION
PLEASE ENCLOSE THIS PORTION WITH YOUR CHECK MADE PAYABLE TO EDS, AND MAIL TO:

EDS CORPORATION
P.O. BOX 14947
ST LOUIS MO 63150-4947
U.S.A.

INVOICE U1356583
NOVEMBER 29, 2001

TOTAL DUE THIS INVOICE	$24,533.53
DUE DATE	DECEMBER 29, 2001
CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

EDS

INVOICE U1356583

Page 1

NOVEMBER 29, 2001

TOTAL DUE THIS INVOICE	$24,533.53
DUE DATE	DECEMBER 29, 2001

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

CHARGES

INVOICE PERIOD: 11/01/01 - 11/30/01

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
PROFESSIONAL SERVICES CHUCK LEPARD 11/01/01 - 11/30/01	141	156.00	$21,996.00
TRAVEL AND LIVING EXPENSES FOR CHUCK LEPARD 11/01/01 - 11/30/01			2,537.53

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	24,533.53
INVOICE SUBTOTAL	24,533.53
SALES TAX	0.00
INVOICE TOTAL	$24,533.53

EDS

INVOICE U1356583

Page 1

NOVEMBER 29, 2001

TOTAL DUE THIS INVOICE	$24,533.53
DUE DATE	DECEMBER 29, 2001

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

TAX DETAIL REPORT

SERVICE DESCRIPTION	AMOUNT OF SERVICE	TAXABLE AMOUNT	CALCULATED SALES TAX	TAX RATE	TAX STATUS	LOCATION
CHUCK LEPARD	21,996.00	0.00	0.00	0.000	Y	AR,SPRINGDALE
FOR CHUCK LEPARD	2,537.53	0.00	0.00	0.000	Y	AR,SPRINGDALE
	$24,533.53	$0.00	$0.00			

SALES TAX TOTAL:	0.00
INVOICE TOTAL:	$24,533.53

EDS Corp.

INVOICE U1369636
DECEMBER 27, 2001

Page 1

TOTAL DUE THIS INVOICE	**$26,052.00**
DUE DATE	**JANUARY 26, 2002**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	26,052.00
INVOICE SUBTOTAL	26,052.00
SALES TAX	0.00
INVOICE TOTAL	**$26,052.00**

851300
12422221

OK Jennie Brown

[x]

RETURN PORTION
PLEASE ENCLOSE THIS PORTION WITH YOUR CHECK MADE PAYABLE TO EDS, AND MAIL TO:

EDS CORPORATION
P.O. BOX 14947
ST LOUIS MO 63150-4947
U.S.A.

INVOICE U1369636
DECEMBER 27, 2001

TOTAL DUE THIS INVOICE	**$26,052.00**
DUE DATE	**JANUARY 26, 2002**
CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

INVOICE U1369636

Page 1

DECEMBER 27, 2001

TOTAL DUE THIS INVOICE	**$26,052.00**
DUE DATE	**JANUARY 26, 2002**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

CHARGES

INVOICE PERIOD: 12/01/01 - 12/31/01

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
PROFESSIONAL SERVICES CHUCK LEPARD 12/01/01 - 12/31/01	167	156.00	$26,052.00

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	26,052.00
INVOICE SUBTOTAL	26,052.00
SALES TAX	0.00
INVOICE TOTAL	**$26,052.00**

INVOICE U1369636
DECEMBER 27, 2001

TOTAL DUE THIS INVOICE $26,052.00
DUE DATE JANUARY 26, 2002

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

TAX DETAIL REPORT

SERVICE DESCRIPTION	AMOUNT OF SERVICE	TAXABLE AMOUNT	CALCULATED SALES TAX	TAX RATE	TAX STATUS	LOCATION
CHUCK LEPARD	26,052.00	0.00	0.00	0.000	Y	AR,SPRINGDALE
	$26,052.00	$0.00	$0.00			

SALES TAX TOTAL: 0.00
INVOICE TOTAL: $26,052.00

INVOICE U1383210
JANUARY 30, 2002

Page 1

TOTAL DUE THIS INVOICE	$39,000.00
DUE DATE	MARCH 1, 2002

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	39,000.00
INVOICE SUBTOTAL	39,000.00
SALES TAX	0.00
INVOICE TOTAL	$39,000.00

851300
12422221

OK Jennie Brown

☒

RETURN PORTION
PLEASE ENCLOSE THIS PORTION WITH YOUR CHECK MADE PAYABLE TO EDS, AND MAIL TO:

EDS CORPORATION
P.O. BOX 14947
ST LOUIS MO 63150-4947
U.S.A.

INVOICE U1383210
JANUARY 30, 2002

TOTAL DUE THIS INVOICE	$39,000.00
DUE DATE	MARCH 1, 2002
CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

BE SURE TO WRITE THE INVOICE NUMBER ON YOUR CHECK.

INVOICE U1383210

Page 1

JANUARY 30, 2002

TOTAL DUE THIS INVOICE	$39,000.00
DUE DATE	MARCH 1, 2002

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

CHARGES

INVOICE PERIOD: 01/01/02 - 01/31/02

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
PROFESSIONAL SERVICES			
CHUCK LEPARD	186	156.00	$29,016.00
01/01/02 - 01/31/02			
CHUCK LEPARD	64	156.00	9,984.00
(12/26/01- 12/31/01)			

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	39,000.00
INVOICE SUBTOTAL	39,000.00
SALES TAX	0.00
INVOICE TOTAL	$39,000.00

INVOICE U1396273
FEBRUARY 27, 2002

Page 1

TOTAL DUE THIS INVOICE $32,079.61
DUE DATE MARCH 29, 2002

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

851300
12422221

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	32,079.61
INVOICE SUBTOTAL	32,079.61
SALES TAX	0.00
INVOICE TOTAL	$32,079.61

OK Jennie Brown

☒

RETURN PORTION
PLEASE ENCLOSE THIS PORTION WITH YOUR CHECK MADE PAYABLE TO EDS, AND MAIL TO:

EDS CORPORATION
P.O. BOX 14947
ST LOUIS MO 63150-4947
U.S.A.

INVOICE U1396273
FEBRUARY 27, 2002

TOTAL DUE THIS INVOICE $32,079.61
DUE DATE MARCH 29, 2002

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

INVOICE U1396273
FEBRUARY 27, 2002

TOTAL DUE THIS INVOICE	**$32,079.61**
DUE DATE	**MARCH 29, 2002**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

CHARGES — INVOICE PERIOD: 02/01/02 - 02/28/02

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
PROFESSIONAL SERVICES			
CHUCK LEPARD 02/01/02 - 02/28/02	181	156.00	$28,236.00
TRAVEL AND LIVING EXPENSES			
CHUCK LEPARD			3,843.61

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	32,079.61
INVOICE SUBTOTAL	32,079.61
SALES TAX	0.00
INVOICE TOTAL	**$32,079.61**

INVOICE U1396273
FEBRUARY 27, 2002

TOTAL DUE THIS INVOICE $32,079.61
DUE DATE MARCH 29, 2002

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

TAX DETAIL REPORT

SERVICE DESCRIPTION	AMOUNT OF SERVICE	TAXABLE AMOUNT	CALCULATED SALES TAX	TAX RATE	TAX STATUS	LOCATION
CHUCK LEPARD	28,236.00	0.00	0.00	0.000	Y	AR,SPRINGDALE
CHUCK LEPARD	3,843.61	0.00	0.00	0.000	Y	AR,SPRINGDALE
	$32,079.61	$0.00	$0.00			

SALES TAX TOTAL: 0.00
INVOICE TOTAL: $32,079.61

INVOICE U1409796
MARCH 26, 2002

Page 1

TOTAL DUE THIS INVOICE $23,712.00
DUE DATE APRIL 25, 2002

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	23,712.00
INVOICE SUBTOTAL	23,712.00
SALES TAX	0.00
INVOICE TOTAL	**$23,712.00**

851300
12422221

OK Jennie Brown

☒

RETURN PORTION
PLEASE ENCLOSE THIS PORTION WITH YOUR CHECK MADE PAYABLE TO EDS, AND MAIL TO:

EDS CORPORATION
P.O. BOX 14947
ST LOUIS MO 63150-4947
U.S.A.

INVOICE U1409796
MARCH 26, 2002

TOTAL DUE THIS INVOICE $23,712.00
DUE DATE APRIL 25, 2002

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

INVOICE U1409796

Page 1

MARCH 26, 2002

TOTAL DUE THIS INVOICE	**$23,712.00**
DUE DATE	**APRIL 25, 2002**

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER	TYSON FOODS INC
CUSTOMER NUMBER	10050999
BILL ID	TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

CHARGES

INVOICE PERIOD: 03/01/02 - 03/31/02

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
PROFESSIONAL SERVICES CHUCK LEPARD 03/01/02 - 03/31/02	152	156.00	$23,712.00

TOTAL TAXABLE AMOUNT	0.00
TOTAL NON-TAXABLE AMOUNT	23,712.00
INVOICE SUBTOTAL	23,712.00
SALES TAX	0.00
INVOICE TOTAL	**$23,712.00**

INVOICE U1409796

Page 1

MARCH 26, 2002

TOTAL DUE THIS INVOICE $23,712.00
DUE DATE APRIL 25, 2002

TYSON FOODS INC
MR. KEVIN YOUNG
2210 WEST OAKLAWN DRIVE
SPRINGDALE AR 72762-6999

CUSTOMER TYSON FOODS INC
CUSTOMER NUMBER 10050999
BILL ID TYSON

FOR QUESTIONS CALL:
JON LIND - (713) 890-1278

TAX DETAIL REPORT

SERVICE DESCRIPTION	AMOUNT OF SERVICE	TAXABLE AMOUNT	CALCULATED SALES TAX	TAX RATE	TAX STATUS	LOCATION
CHUCK LEPARD	23,712.00	0.00	0.00	0.000	Y	AR,SPRINGDALE
	$23,712.00	$0.00	$0.00			

SALES TAX TOTAL: 0.00
INVOICE TOTAL: $23,712.00

COPY

Change Request To Service Agreement of 4/16/01

Requester:	Alan Chronister	Date Requested:	Oct. 19, 2001
Project Name:	InTouch Development	Change Request #:	002
EDS Contact:	Jon Lind	Submittal Date:	Oct. 19, 2001

Description of Project Change Requested::

Extend Chuck LePard support for Tyson development, through May 30, 2002. This is an extension of the letter agreement dated April 16, 2001 and subject to the terms and conditions of that agreement except for the rate reduction extended in this change order.

Recommendation:

Provide additional support for the Tyson development project. Work will be performed primarily at the employee home location, with anticipated monthly travel to Tyson, in Springdale Arkansas.

Impact of Recommendation:

Engage EDS to provide the following resources on a time and materials basis. Based on a six-month, full-time minimum commitment for developer time, EDS extends a discounted hourly rate as follows:

Resource	Discounted Rate	Est. Monthly Hours	Est. Monthly	Travel	Monthly Total
Consultant Senior	$156/hour	171	$26, 676	$1,200	$27,876

The *estimated* total cost for the extension is $167,256.

If this agreement is terminated in less than six months, EDS may revert to non-discounted rates for the entire period of this extension.

Decision Reached:

EDS Name:	Client Name:
Jon Lind, Client Delivery Executive	Alan Chronister, Director of Technology Services
Signature: Jon K Lind	Signature: Alan J Chronister
Date: 10/23/01	Date: 10/23/01

Tyson — It's what your family deserves.

Change Request To Service Agreement of 4/16/01

EDS

Requester:	Kevin Young	**Date Requested:**	**May 31, 2001**
Project Name:	InTouch Development	**Change Request #:**	**001**
EDS Contact:	Jon Lind	**Submittal Date:**	**May 31, 2001**

Description of Project Change Requested::

Extend Chuck Lepard support for Tyson InTouch development, through November 30, 2001. This is an extension of the letter agreement dated April 16, 2001 and subject to the terms and conditions of that agreement except for the rate reduction extended in the this change order.

Recommendation:

Provide additional support for the Tyson development project. Work will be performed primarily at the employee home location, with anticipated monthly travel to Tyson, in Springdale Arkansas.

Impact of Recommendation:

Engage EDS to provide the following resources on a time and materials basis. Based on a six-month, full-time minimum commitment for developer time, EDS extends a discounted hourly rate as follows:

Resource	Discounted Rate	Est. Monthly Hours	Est. Monthly	Travel	Monthly Total
Consultant Senior	$156/hour	171	$26, 676	$1,200	$27,876

The *estimated* total cost for the extension is $167,256.

If this agreement is terminated in less than six months, EDS may revert to non-discounted rates for the entire period of this extension.

Decision Reached:

EDS Name:	Client Name:
Jon Lind, Client Executive	Kevin Young, Director of Technology Services
Signature: Jon R. Lind	Signature: Kevin Young
Date: 6-21-01	Date: 6-7-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peter Arthur Tobler, et al.	)	
U. S. Application Serial Number: 10/708,146	)	Examiner: Unknown
U.S. Filing Date: February 11, 2004	)	Group Art Unit: 2857
Priority Data: U.S. Provisional Patent Application No. 60/446,493, filed February 11, 2003	)	Confirmation No. 2145
	)	Customer No. 27,128
For: A SYSTEM AND METHOD FOR MONITORING FACILITY DATA	)	
Attorney Docket: 718026.64	)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION BY PETER ARTHUR TOBLER IN SUPPORT OF THE PETITION UNDER 37 C.F.R. SECTION 1.47 (b)

I, Peter Arthur Tobler, am the Project Manager for Tyson Foods, Inc. for the Project that resulted in the above patent application, as well as a co-inventor, and I hereby declare the following to be true:

1 Around February, 2001, efforts began within the Information Systems Group at Tyson Foods, Inc., to develop a proprietary software system to collect and report regulatory data.

2. Mr. Charles Lepard was contracted by Kevin Young, of Tyson Foods, Inc., to help develop and design a proprietary software application that would collect and report electronic process information at the Berryville facility of Tyson Foods, Inc. Mr. Charles Lepard started working on this Project on or around April 16, 2001.

3. A team was formed in the latter part of April, 2001 or the earlier part of May, 2001, to formalize the Project to develop an application that would collect HACCP data in an electronic format. At some point after this Mr. Charles Lepard became involved with this team.

4. I became involved with this Project associated with the present invention on or around June 7, 2001. I was named Application Development Team Leader on or around August 2, 2001, and by the end of August, 2001, I took on the added responsibilities as Project Manager. This Project eventually became the Invention as described and claimed in the Patent Application listed above.

5. There were "brainstorming sessions" with all the Inventors, including Mr. Charles Lepard, which occurred on a regular and irregular basis before and after I became involved in the Project. They consisted of a range of subjects including design, systems analysis, functional and technical requirements, code reviews and troubleshooting.

6. The main purpose of the "brainstorming sessions" was to create the present Invention that also included incorporating numerous business and/or legal requirements into an actual software application of the present Invention.

7. Mr. Charles Lepard was involved in some of these "brainstorming sessions" but not all of them. For a period of time, Charles Lepard worked from his home in Detroit, Michigan and was not available to attend the "brainstorming sessions" but did participate in some of them via telephone.

8. I declare under penalty of perjury that all statements made herein are of my own knowledge, are true, and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Dated: 8/3/2004

Peter Arthur Tobler